

September 05

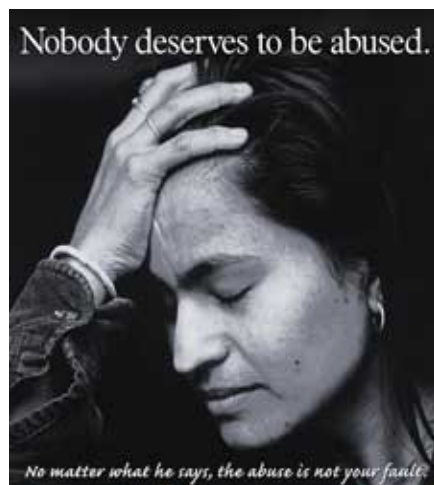


City of Seattle

2005-2009

**STRATEGIC PLAN  
ON  
SEATTLE'S CRIMINAL JUSTICE RESPONSE  
TO  
DOMESTIC VIOLENCE**

September 5, 2005



September 05



City of Seattle

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# City of Seattle

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## City of Seattle

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## Table of Contents

<b>Abbreviations</b>	<b>5</b>
<b>Introduction to the Domestic Violence Strategic Plan</b>	<b>7</b>
<b>Overview of the Plan</b>	<b>13</b>
<b>Action Plan</b>	
Advocacy	26
Batterer Intervention	32
Firearms	38
Investigations	47
Prosecution Plan	56
Sanctions	61
Special Populations	67
Victim Defendants	77
<b>Appendices</b>	
Table A: Backbone of the Domestic Violence Strategic Plan	85
Table B: Community Conservations: Process and Summary of Results	90
Table C: Recommendations from the 2003 Seattle Domestic Violence Assessment Reports	105
Table D: City Attorney's Office Prosecution Plan Status Report	119



**City of Seattle**

## **Abbreviations**

ADS	Aging & Disabilities Services
APS	Adult Protective Services
CAO	City Attorney's Office
CPS	Child Protective Services
DV	Domestic Violence
DSVPO	Domestic & Sexual Violence Prevention Office
HSD	Human Services Department
KCCADV	King County Coalition Against Domestic Violence
KCPO	King County Prosecutor's Office
MOA	Memorandum of Agreement
OIR	Office of Intergovernmental Relations
PHSKC	Public Health – Seattle & King County
SCADVU	Seattle City Attorney's Domestic Violence Unit
SMC	Seattle Municipal Court
SPD	Seattle Police Department
SPO	Strategic Planning Office
VST	Victim Support Team

September 05



City of Seattle



City of Seattle

**2005-2009  
STRATEGIC PLAN  
ON  
SEATTLE'S CRIMINAL JUSTICE RESPONSE  
TO  
DOMESTIC VIOLENCE**

**INTRODUCTION  
TO THE  
PLAN**





## Seattle's Vision

The City of Seattle has a bold vision – Seattle will become a community where domestic violence does not exist. It will be a place where people embrace nonviolence and equality in all domestic relationships. The City's Domestic Violence Prevention Council, as an inter-departmental body of City leaders responsible for City policy and programs, provides the leadership, on- ongoing oversight, and coordination in the City's efforts to eliminate domestic violence. It accepts the reality that to end domestic violence will require a multi-faceted approach including:

- Primary prevention efforts to change community norms about what constitutes healthy intimate partner relationships;
- Crisis services such as confidential shelters and advocacy to help victims and their children who live in dangerous situations gain safety;
- Interventions by the criminal justice system to protect victims of domestic violence and to hold batterers accountable; and
- Other services and supports such as training and employment, affordable child care, affordable housing, and affordable legal services to help domestic violence victims extricate themselves permanently from abusive relationships and rebuild their lives.

Due to the complexity of domestic violence, the City remains committed to working closely with businesses, schools, health care, media, faith communities, collegiate and professional sports, grassroots organizations and family networks to reject domestic violence in all of its forms.

Over the past decade, Seattle has taken consistent steps to work towards the reduction of domestic violence. This plan builds upon these early efforts. It addresses the City of Seattle's criminal justice response to domestic violence and proposes new approaches and policies, based on best practice evidence, for incorporation in the City's work against domestic violence.

## Seattle's First Domestic Violence Strategic Plan

The City's first domestic violence strategic plan was launched in 1998 and provided the first major step toward creating an integrated municipal response to domestic violence in Seattle. The plan identified numerous service gaps. Many of these gaps were subsequently addressed with new programs and strategies. These included:

- A City workplace domestic violence policy (how to recognize it among coworkers and deal with it), an education campaign and the production of "Sweet Resolutions," a presentation emphasizing the theme that domestic violence doesn't stay at home, it also comes to work;
- A Police Department Victim Support Team (which currently includes 75 trained volunteers who are on call to respond to victims on-scene);
- An initiative to improve apprehension of fugitive domestic violence offenders;
- Initiation of the Seattle/King County Firearms Forfeiture Project to remove firearms from misdemeanor batterers;
- Initiation of the Victim Defendant Project that explores the growing trend in the arrest of battered victims who are defending themselves against physical violence;
- Media outreach through Op-Ed series and City Council community forums;
- Additional City funds for domestic violence advocacy service system;
- Research on effectiveness of protection orders;
- Research on barriers for ethnic and hard to serve populations;
- Grant funding secured for criminal justice enhancements including firearm forfeiture, surrender and seizure, intensive probation supervision, best practices training for law enforcement, legal advocacy services for felony domestic violence cases, and translations of system brochures; and



## City of Seattle

- Grant funding secured for social service system enhancements including hotel vouchers for shelter, community advocates, community legal advocates, language advocates, and translations of agency brochures.

### Seattle's Second Domestic Violence Strategic Plan

Over a two year period, the Domestic and Sexual Violence Prevention Office conducted a comprehensive assessment of Seattle's domestic violence response, with a focus on the criminal justice system. The information provided in the assessment is used to develop this second strategic plan.

The Seattle Domestic Violence Assessment was released in December 2003. It includes ten separate reports, eight of which refer to specific criminal justice areas. The other two relate to survivor services when there are language and cultural barriers, and community attitudes. Specifically, the reports are:

1. Domestic Violence Cases in the Seattle Police Department.
2. Patrol Response to Domestic Violence in Seattle, Washington: Text Analysis of Seattle Police Department Incident Reports.
3. A Report from the 2003 Domestic Violence Safety and Accountability Audit: Prosecution Response to Misdemeanor Domestic Violence Cases.
4. A Report on Domestic Violence Cases in Seattle Municipal Court.
5. A Report on the Domestic Violence Unit, Seattle Municipal Court Probation.
6. Removing Firearms from Domestic Violence Perpetrators.
7. Victim-Defendants: An Emerging Challenge in Responding to Domestic Violence in Seattle and the King County Region.
8. Summary Reports and Findings of Seattle's Domestic Violence Assessment.
9. Multi-lingual Access Project (MAP): Report Highlights.
10. Healthy Relationships/Healthy Communities: A Community Forum Series on Domestic Violence.

While the Assessments contain over 80 recommendations or opportunities for enhancements, it identified eight for immediate action. They are:

1. Police should improve on-scene investigation, documentation and follow-up of domestic violence incidents by improving training, performance expectations, policies and procedures.
2. Police and the City Attorney should jointly develop policies and procedures for arresting offenders who are gone when police arrive on the scene.
3. Police, the City Attorney and the Seattle Municipal Court should remove firearms from convicted domestic violence misdemeanants.
4. The City Attorney should develop domestic violence policies that guide day-to-day prosecutorial activities and include links with police. Written guidelines should be established for screening cases to help advocates and prosecutors balance safety with evidence.
5. The Municipal Court should strengthen policies and procedures for processing domestic violence cases.
6. The criminal justice system should place new emphasis on helping children in domestic violence incidents. Protocols need to be developed for documenting and helping children at the crime scene, and addressing their safety.
7. The criminal justice system should create comprehensive victim advocacy services, from initial police contact to case adjudication.
8. The Domestic Prevention Violence Council should establish a working committee to oversee implementation of the Assessment's recommendations.

These eight recommendations form the backbone of this second Strategic Plan which focuses on criminal justice areas.



## City of Seattle

Over the last decade many substantial improvements have been made in Seattle's domestic violence criminal justice response; nonetheless, the City will continue actions to reduce domestic violence. As it does so, it will consider growing and important new research, best practices information, and emerging issues in the domestic violence field.

This Domestic Violence Strategic Plan, which focuses on criminal justice, continues Seattle's initial efforts to foster a focused system and promote changing the attitudes and practices within our system. By accomplishing this goal, Seattle will be able to provide more comprehensive response and assistance to those who need it.

### Planning & Development Process

In April 2004, staff from the Seattle Police Department, Seattle Municipal Court, Seattle City Attorney's Office, Public Health–Seattle & King County, Mayor's Office, Finance Department and the Domestic & Sexual Violence Prevention Office of the Human Services Department, along with representatives from Seattle City Council formed the Domestic Violence Prevention Council's Assessment Committee and began intensive planning work. The committee's charge was to create a domestic violence strategic plan based on the recommendations of the 2003 Domestic Violence Assessment. Members brought their collective expertise and efforts to the Domestic Violence Prevention Council (DVPC) for discussion and clarification. The end result of the Assessment Committee's work and the DVPC's deliberations is this strategic plan.

Initially, the Assessment Committee members reviewed the findings and recommendations of the 2003 Domestic Violence Assessment. Based on this review, members identified eight key issues for the strategic plan: 1) Advocacy and Victim Services, 2) Batterers' Intervention, 3) Firearms, 4) Investigations, 5) Prosecution Plan, 6) Sanctions, 7) Special Populations, and 8) Victim Defendants.

The Assessment Committee then formed work teams for each of these issues. These included departmental staff and, in some cases, community partners (See page 2 for list of issue groups). Each team drafted an introduction that provides a brief overview and the action plan for the issue.

Once the Domestic Violence Prevention Council approved the discussion draft of the plan at its December 2004 meeting, conversations with community partners and stakeholders began in earnest in early January of 2005. Staff made the plan available online. In addition, working closely with the King County Coalition Against Domestic Violence (KCCADV), 22 different community groups and programs were contacted to see if they wanted to participate in a briefing and conversation about the plan and/or submit their comments. Six groups chose to respond electronically. The Domestic & Sexual Violence Prevention Office and/or KCCADV staff met with another 15 groups, including:

- **Batterer's Intervention Providers;**
- **Child Protective Services Domestic Violence Collaboration Group** (comprised of King County Public Health and Child Protective Services of the Department of Social and Health Services [DSHS]);
- **City of Seattle's Criminal Justice Collaboration Group** (comprised of City Attorney advocate and prosecution staff, probation and clerical staff, and the Gender and Age Crimes Unit of the Seattle Police Department);
- **Court and Community Advocates** (under the auspices of the VAWA STOP grant);
- **Elder Abuse Council** (comprised of professionals from the Attorney General's Office, the Crisis Clinic, DSHS Adult Protective Services and Residential Care Services, DSHS Senior Services, the King County Sheriff's Office, the King County Prosecuting Attorney's Office, the Seattle Human Services Department's Aging and Disability Services, Seattle Police Department, Virginia Mason Clinic and the University of Washington's School of Nursing);



## City of Seattle

- **King County Sheriff's Office Domestic Violence Unit;**
- **King County Coalition Against Domestic Violence;**
- **King County Domestic Violence Prevention Council's Coordinating Committee** (comprised of King County Prosecuting Attorneys and Advocates, the King County Department of Judicial Administration's DV Coordinator, the King County Sheriff's Office, the King County Women's Program and a representative of the King County Work First Program, King County Department of Public Health);
- **Public Defense Attorneys** (from 4 different agencies and a representative of the Washington Criminal Defense Lawyers and the Director of the King County Office of Public Defense);
- **Strategic Management Team of Seattle's Human Services Department;**
- **Seattle Women's Commission;** and
- **Four different groups of survivors of domestic violence.**

The community overall was very impressed by the magnitude and aggressive nature of this plan and applauded the City for its efforts to end domestic violence in our community. Each group provided excellent feedback for consideration by the Assessment Committee as it developed the final version of the Strategic Plan. While many of the observations tended to focus on the implementation phase, others have resulted in modifications to the plan.

### **Next Steps**

Over the years, Seattle has made great strides in developing and executing a coordinated community response to domestic violence. The 2003 Domestic Violence Assessment has helped the City identify areas of strengths, as well as opportunities for enhancements with respect to our criminal justice system.

The development and execution of the City's response has involved many stakeholders, from criminal justice personnel to providers of domestic violence services and interested community residents. The City's response has also taken into consideration the rich diversity of our community. For example, the City has supported, through grant funds, a community-driven effort, called the Multi-Lingual Access Project, to improve access to domestic violence services for limited English and non-English speakers. With this strategic plan, which describes the next steps in the City's efforts to improve its response to domestic violence, with respect to the criminal justice system, the City continues to embrace a collaborative approach with respect to implementation. Successful implementation of this plan will require the continued involvement of the many -- government and other stakeholders representing various populations -- who are committed to responding to domestic violence.

The Domestic Violence Prevention Council's (DVPC) Criminal Justice Committee, which may include providers and other members of the community, will oversee the plan's implementation. Implementation also involves a number of efforts for coordination and community involvement. Examples include: the criminal justice/community-based advocacy roundtable, the involvement of batter intervention (BI) stakeholders in the analysis of current BI practice and the results of such practice, a workgroup to develop protocol for documenting the presence of children and other special populations at a domestic violence crime scene, and a number of legislative efforts.

Even upon adoption by the DVPC and the City Council, this plan will remain a living document, a work in progress. Therefore, the Criminal Justice Committee will facilitate the development of a plan update for 2007 to address any new or emerging issues and publish information to inform our stakeholders and interested parties of progress.

September 05



City of Seattle

September 05



City of Seattle

**2005-2009  
STRATEGIC PLAN  
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**PLAN OVERVIEW**



## City of Seattle

We know from experience that to end violence in domestic relationships requires a multifaceted, coordinated approach that builds upon the expertise of the various criminal justice agencies and their partners within city government and the community. The City's criminal justice system already has key components of a coordinated system in place:

- Seattle Police Department's Gender and Age Crime Investigations Section, a specialized unit of detectives to investigate domestic violence related felonies and misdemeanors;
- Seattle Police Department's Victim Support Team, a cadre of volunteers and staff who respond to the needs of domestic violence victims;
- Seattle City Attorney's Office's Domestic Violence Unit that coordinates victim advocacy and prosecution services for misdemeanor domestic violence cases;
- Domestic Violence Unit in the Seattle Municipal Court's Probation Services Department, which supervises misdemeanor offenders; and
- Seattle Municipal Court's newly established Domestic Violence Court, in which one judge or a team of judges hear all domestic violence cases of the same defendant from arraignment through probation reviews.

These criminal justice agencies working closely together and with other City- and community-based agencies have developed some innovative approaches to responding to domestic violence.

This Strategic Plan on Seattle's Criminal Justice Response to Domestic Violence continues the systemic approach to enhancing the City of Seattle's criminal justice response to domestic violence. That is, it targets specific areas that involve or impact more than one agency within the system. The issues include: 1) Advocacy and Victim Services, 2) Batterer Intervention, 3) Firearms, 4) Investigations, 5) Prosecution Plan, 6) Sanctions, 7) Special Populations, and 8) Victim Defendants. The desired result of the plan is systemic change that contributes significantly to making the City even safer, services more accessible, particularly for women and their children, batterers more accountable, and families stronger. During the next five years, Seattle will work towards the following enhancements of its coordinated criminal justice response to domestic violence:

- A comprehensive City victim advocacy service plan that includes community advocacy and service linkages;
- A more effective batterer intervention policy;
- An enhanced police response to children, seniors and vulnerable adults at the scene of a domestic violence related incident;
- Improved collaboration across systems and agencies, locally and regionally, that work with special populations (i.e., children, seniors, vulnerable adults, people of color, and refugees and immigrants);
- Enhanced regional, state and federal funding, services and policies to assist those victimized by domestic violence, including members of special populations;
- Establishment of a confiscation of firearms program to remove such weapons from domestic violence offenders and individuals prohibited from possessing them due to criminal domestic violence conviction;
- Enhanced domestic violence investigations;
- Prosecution that serves the best interest of victims and their children;
- Sanctions with improved compliance, and appropriate alternatives to confinement for domestic violence offenders; and
- Improved response and service to victim defendants.

Work on these enhancements will require a concerted effort to address 40 objectives. These objectives have been divided into "readiness and impact" groups (see tables that follow). All the objectives are deemed important, however, to determine where to target the City's initial efforts, a number of readiness



## City of Seattle

and impact factors were considered, such as the priorities of the lead Department; availability of funding; number of people, including hard to reach special populations, who may benefit from the effort; and the potential to prevent recurrence of domestic violence and change community norms. Based on factors such as these, the City will strive to initiate the following objectives in 2005:

- Clarifying the role of victim advocates within the criminal justice system;
- Implementing a new victim safety inventory tool that will be used by advocates across the City's criminal justice system;
- Analyzing the current practice of batterer intervention in the City and the results of this practice;
- Implementing a firearm confiscation program targeting domestic violence offenders, including those convicted of criminal domestic violence;
- Implementing a High Risk Offender (HRO) program in the City Attorney's Office;
- Standardizing sanction recommendations for original sentences and reviews;
- Assuring that policies and procedures are in place and adequate training is provided to all officers regarding officer involved domestic violence cases;
- Developing policies that align Seattle Police Department's investigatory practices with nationally-recognized best practices;
- Continuing to provide on-going training to officers and supervisors to produce thorough investigative follow-through; and
- Developing a set of protocols for documenting and tracking the presence of children, seniors and vulnerable adults at the scene of a Domestic Violence-related incident.

As the tables that follow indicate, the goal is to complete several of these objectives in 2005. The target date for completing others is 2006 or later.

Overall, the objectives fall within one of two strategic categories, "New Services and Practices," which are any entirely new efforts within the City of Seattle to strengthen the coordinated response system to domestic violence, and "Service Improvements," which are efforts to refocus or refine existing services within the system (See pages 17 – 24 for complete list of objectives and their strategic category). Examples of objectives by strategic category for 2005 are as follows:

### **New Services and Practices**

- Write policies to enhance the removal of firearms from batterers as prescribed by law.
- Design and write procedural steps and corresponding forms for SPD, the City Attorney's Office and the Court to enhance the surrender, seizure and forfeiture of firearms.
- Implement High Risk Offender program.
- Standardize sanction recommendations for original sentences and reviews.

### **Service Improvements**

- Clarify the role of victim advocate within the criminal justice system that focuses on victim safety and system accountability.
- Continue to provide on-going training to front-line officers and supervisors to produce thorough investigative follow through.
- Advocate for on-going, and increased, federal, state, and regional financial support for such services as mental health, respite care, emergency housing options, interpretive services and case management services to assist victims of domestic violence, including children, seniors, vulnerable adults, people of color, and refugees and immigrants.

The final section of this document sets forth the action plan, which will guide the City's implementation efforts. It reflects a well-coordinated process indicating what action needs to occur, how it will occur and





**City of Seattle**

which City Department will lead the implementation efforts.. This plan is a work in progress. Adjustments could be made contingent upon available resources. This plan identifies areas where new resources, beyond existing funds, may be required to implement the plan. Regardless of whether the objective or enhancement is new or a refinement of an existing service or practice, the development of new partnerships, policies, protocols and educational/training opportunities is a must for the successful implementation of this plan. With the successful implementation of this plan, the City of Seattle can make significant advances toward reducing the incidence, as well as the severity of domestic violence in our City



City of Seattle

## Impact and Readiness Tables

**TABLE A****Objectives by Issue****Completion Date Target: 2005**

<b>Issue</b>	<b>Objectives</b>	<b>SI</b>	<b>NS &amp;P</b>
<b>Advocacy</b>	1. Clarify the role of victim advocate within the criminal justice system that focuses on victim safety and system accountability.	X	
<b>Batterer Intervention</b>	2. Analyze current practice in Seattle and the results of this practice.	X	
<b>Firearms</b>	3. Write policies to enhance the removal of firearms from batterers as prescribed by law.		X
	4. Design and write procedural steps and corresponding forms to enhance the surrender, seizure and forfeiture for SPD, the City Attorney's Office and the Court.		X
	5. Utilize existing database systems for access by SPD, the Court and the City Attorney's Office to promote exchange of firearm information and to coordinate across systems.		X
	6. Create a communications plan regarding the new City-wide firearms program.		X
<b>Investigations</b>	7. Continue to provide on-going training to front-line officers and supervisors to produce thorough investigative follow through.	X	

\*SI = System's Improvement

\*NS&amp;P = New Services &amp; Practice



**Table A**  
**Objectives by Issue**  
**Completion Date Target: 2005**

Issue	Objectives	SI	NS &P
<b>Prosecution Plan</b>	8. Increase coordination with police to support investigation and follow-up so that prosecution serves the best interest of the victim.	X	
	9. Implement High Risk Offender (HRO) program.		X
	10. Standardize sanction recommendations for original sentences and reviews.		X

\*SI = System's Improvement

\*NS&amp;P = New Services &amp; Practice



## City of Seattle

**TABLE B**  
**Objectives By Issue**  
**Completion Date Target: 2007**

Issue	Objectives	SI	NS&P
<b>Advocacy</b>	1. Build and sustain a collaborative advocacy service plan for use across the City's criminal justice system. 2. Create and implement victim safety inventory tool that can be used by victim advocates across the City's criminal justice system.	X	X
<b>Batterer Intervention</b>	3. Develop City policy on the use of batterer intervention as a sanction based on the results of the analysis of current practice.	X	
<b>Firearms</b>	4. Design and facilitate training tailored to each department of all criminal justice personnel to introduce new domestic violence goals, policies and procedures and data systems.		X
<b>Investigations</b>	5. Comply with Washington SSB 6161, Domestic Violence by Law Enforcement Officers, to assure that policies/procedures are in place and adequate training is provided to all officers regarding officers who are victims and perpetrators in domestic violence cases. 6. Adopt as a matter of policy relevant law enforcement portions of the Federal Office on Violence Against Women Domestic Violence Tool Kit.	X	X
<b>Prosecution Plan</b>	7. Foster relationship between Criminal Justice-based and Community-based advocates to facilitate responsiveness to victims' needs regardless of prosecution. 8. Design and implement a training program in partnership with others that support the prosecution goals and philosophy of the City Attorney's Office. 9. In cooperation with City partners, implement prosecution efforts to remove firearms for batterers.	X	X



<b>Victim Defendants</b>	10. Enhance probation screening and referral policies for court recommendations and for service linkages.		X
	11. Enhance linkages for victim defendants to community domestic violence services.	X	

\*SI = System's Improvement

\*NS&P = New Services & Practice



### Table C

## Objectives by Issue

**Completion Date Target: 2009**

Issue	Objectives	SI*	NS &P*
<b>Batterer Intervention</b>	1. Develop appropriate business practices to foster successful implementation of this policy.	X	
	2. Explore advocating at the State legislative level for DV extensive supervision, similar to jurisdictional enhancements for DUI offenders. See Sanctions, Objective 4.		X
<b>Firearms</b>	3. Develop policies to enhance removal of firearms from those prohibited from possessing firearms due to DV civil protection orders.		X
	4. Develop and implement a set of protocols for handling firearm removal from those prohibited from possessing firearms due to DV civil protection orders.		X
	5. Design and write procedural steps and design and facilitate training for appropriate staff regarding new policies and protocols for firearm removal in cases involving domestic violence civil protection orders.		X
	6. Explore with King County the implementation of a community education campaign regarding the linkages between firearms and domestic violence, including issues concerning domestic violence offenders and individuals prohibited from possessing firearms due to criminal domestic violence conviction and domestic violence civil protection orders.		X
	7. Train key community partners on issues such as risks regarding firearm possession and domestic violence, relevant laws, protocols for surrender, seizure and forfeiture of firearms.		X
	8. Explore legislation at the State level to empower local law enforcement to confiscate weapons from offenders currently prohibited from possessing or purchasing them under Federal law.		X



**Table C**  
**Objectives by Issue**  
**Completion Date Target: 2009**

Issue	Objectives	SI	NS &P
<b>Investigations</b>	9. Evaluate misdemeanor follow-up needs.	X	
	10. Implement an improved report writing and accountability system that fosters completion of all fields in reports, with supervisor oversight.		X
	11. Evaluate all domestic violence incidents to enhance alignment with best practices.	X	
	12. Conduct quarterly audits of domestic violence reports by Watch Commander to enhance compliance with best practice.		X
	13. Improve arrest rate in DV cases when the suspect is "gone on arrival."	X	
<b>Sanctions</b>	14. Formulate a process prior to sentencing to enhance the information judges have for sentencing domestic violence offenders.	X	
	15. Explore alternatives to confinement for domestic violence offenders and propose a plan for implementation.		X
	16. Improve compliance rates for domestic violence offenders in Seattle's criminal justice system.	X	
	17. Explore advocating at the State legislative level for DV extensive supervision, similar to jurisdictional enhancements for DUI offenders. See Batterer Intervention, Objective (4)	X	



**Table C**  
**Objectives by Issue**  
**Completion Date Target: 2009**

Issue	Objectives	SI	NS &P
<b>Special Populations</b>	18. Develop and implement a set of protocols for documenting and tracking the presence of children, seniors and vulnerable adults at the scene of a domestic violence related incident regardless of status as victim, witness or perpetrator.		X
	19. Determine and strive to implement the best mechanism (i.e., one stop shop/no wrong door) for responding to family violence in the City of Seattle.		X
	20. Advocate for the implementation of policy and procedures needed to enhance responses within and among City, regional and State Departments that create safety, promote the well being, and provide stability for children and their non-offenders parent, seniors, and vulnerable adults.		X
	21. Implement, in cooperation with other human services campaigns, a community education campaign on domestic violence, including effects on children, seniors, vulnerable adults, people of color, and refugees.	X	
	22. Advocate for on-going, and increased, federal, state, and regional financial support for such services as mental health, respite care, emergency housing options, interpreter services, and case management services to assist victims of domestic violence, including children, seniors, vulnerable adults, people of color and refugees and immigrants.	X	
	23. Explore the development of legislative action to require Department of Social and Health Services (DSHS) to implement a Departmental policy to assist victims in domestic violence.		X
	24. Train mandatory reporters and other key community partners on such domestic violence issues as warning signs, liability, and community resources.	X	
	25. Continue and evaluate training efforts on immigration and other culturally-and population-specific issues.	X	





**Table C**  
**Objectives by Issue**  
**Completion Date Target: 2009**

Issue	Objectives	SI	NS &P
<b>Victim Defendants</b>	26. Develop a tool to enhance prosecution case screening of potential victim defendants and increase effectiveness of negotiation on cases involving survivors.		X
	27. Enhance advocacy and defender linkages for victim defendants.		X
	28. Design training to accommodate specific needs of criminal justice system personnel with emphasis on special populations and sexual minorities.	X	

\*SI = System's Improvement

\*NS&amp;P = New Services &amp; Practice



City of Seattle

**2005-2009  
STRATEGIC PLAN  
ON  
SEATTLE'S CRIMINAL JUSTICE RESPONSE  
TO  
DOMESTIC VIOLENCE**

**ACTION PLAN**



## Advocacy

### Introduction

Victim advocacy is a critical component of any domestic violence program, whether it is within a criminal justice system or a community system. Criminal justice advocates (represented here by the Seattle City Attorney's Office [SCADVU], the Seattle Police Department [SPD Gender and Age Crime Investigations Section] and volunteers from SPD's Victim Support Team [VST]), may differ from community based advocates in the way they work with victims of domestic violence, but their goals are the same: to "advocate" for the victim, to enhance victim safety, and to provide the victim with appropriate resources that will facilitate self determination and empowerment.

One primary area of concern is the difficult job criminal justice advocates have in balancing the needs and desires of the victim with the goals of the criminal justice system in which they work. It is clear that the role of the advocate is extensive, and in most cases, the advocate's work goes far beyond the typical job description. The advocate (SCADVU and SPD Gender and Age Crime Investigations Section) must:

- Listen carefully to the victim, assessing her situation (i.e., safety needs) while taking into account what will occur as a result of police investigation and a prosecutor's decision to file/not file criminal charges against the defendant (i.e., the victim may not want charges filed, may recant or minimize, etc.);
- Assist the victim with safety planning;
- Accompany the victim to court hearings (including assistance with interviews and preparation for trial); keep the victim updated on court dates and information;
- Provide and assist the victim with information about other legal remedies (including protection orders), victims' rights, community resources and referrals, crime victims' compensation,
- Work with police and prosecutors regarding victims' wishes and case action;
- Consult with other personnel who are working with the defendant (Department of Corrections, probation, etc.); and
- Work collaboratively with community-based advocates to address the full range of victim needs.

The Victim Support Team (VST) Program is a unique partnership between community and police to address and prevent domestic violence. VST has a more limited role in providing ongoing victim advocacy services, but play a critical role in providing a crisis response for victims at domestic violence crime scenes. Community volunteers with VST provide crisis intervention and support to domestic violence victims at secured crime scenes, a critical time following domestic violence incidents. The program is designed to address the gap in services to domestic violence victims between the time patrol officers respond to a call to the time advocates, detectives and prosecutors make contact with the victim for follow up. VST response has two parts:

1. Community volunteers provide on-scene crisis intervention to domestic violence victims in the time immediately following the domestic violence incident. Once the scene has been secured, patrol officers can call out the VST to assist on any domestic violence call where the officer is making a police incident report. (Safety precautions are assessed concerning scene safety for VST.) Volunteers work with a partner and are supported by an on-call supervisor. Teams are equipped with an unmarked police car, cell phone, pager, and police radio for communication with patrol officers in the field. The volunteer teams operate in the North and South Precincts during weekend hours.
2. A JustServe AmeriCorps volunteer provides some immediate follow up services, and also transfers the case to a criminal justice system legal advocate for ongoing services. After the weekend hours, the JustServe AmeriCorps member provides follow up calls to domestic violence victims who were assisted by the VST. The AmeriCorps member assists victims with safety



## City of Seattle

planning, help locate emergency resources, make referrals to community resources, and help obtain criminal justice system information such as offender jail release time and protection order information.

VST has access to a number of emergency resources such as:

- The Emergency Feeding Program, which provides VST with bags of non-perishable food, including dietary-specific bags for diabetics and Asian diets;
- Stuffed animals that VST staff can give to children of victims during an intervention;
- Blankets, formula, diapers, and pacifiers for babies and toddlers;
- Gift cards/certificates to victims for Fred Meyer, Safeway, QFC, or McDonalds;
- Free cell phones for victims who need them; and
- Transportation to hospitals, safe housing, and animal shelters for pets if a victim needs to leave her residence and cannot take animals with her.

### Recent developments

#### The Seattle City Attorney's Domestic Violence Unit (SCADVU)

In November 2003 the City Attorney, Tom Carr, issued a Policy Statement regarding domestic violence prosecution and advocacy, partially based on findings of the Domestic Violence Safety and Accountability Audit, a safety study conducted in 2002-03 with a consultant from the Battered Women's Justice Center in Minneapolis, Minnesota. As a result of this work:

- The SCADVU staff has divided into subcommittees to work on protocols and procedures needed to implement the goals of the Policy Statement
- SCADVU staff meet regularly as one large group to discuss and finalize these protocols
- SCADVU advocates have developed a victim safety inventory instrument as recommended by the Safety Audit. The SCADVU tool was developed by taking certain elements from various danger/risk assessment models and incorporating them into one instrument applicable for use by the SCADVU advocates
- SCADVU attorneys have developed a special protocol to prosecute domestic violence "High Risk Offenders."

#### Seattle Police Department's Gender and Age Crime Investigations Section (SPD)

In 1999, using federal grant funds two domestic violence victim advocate positions were co-located with detectives in the Gender and Age Crime Investigations Section to provide better communications on cases. In 2004 the positions were sustained in SPD. In addition, the roles have been extended to include coordination with the King County Prosecutor's Office, Domestic Violence Unit and availability during the week to respond in the field to domestic violence incidents.

#### Seattle Police Department's Victim Support Team (SPD VST)

The City Domestic Violence Assessment found underutilization of the VST. In response, a roll call training effort to increase awareness of the VST's role has resulted in significant increased call outs. The hope is that the role of VST will be solidified by educating patrol officers on the value of VST and its services to victims.

VST is also working with SPD administration to make it mandatory for officers to use VST on all DV incidents occurring while VST teams are in service. This should result in 100% victim response during the weekend with immediate on-scene intervention and support by a trained advocate.



**City of Seattle**

## **Conclusion**

The action plan that follows includes clarifying and solidifying the role of the victim advocate across the criminal justice system. This plan identifies tools to help facilitate the advocates' work and introduces a comprehensive City advocacy service plan, which will also include community advocacy work, service linkages and collaboration.

**Cross Reference of Other Strategic Issues:** Prosecution Plan, Victim Defendants, and Investigations.



## City of Seattle

### Advocacy and Victim Services Strategy

**Goal: Design and implement a comprehensive City victim advocacy service plan that includes community advocacy and service linkage.**

Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
1. Clarify the role of victim advocate within the criminal justice system that focuses on victim safety and system accountability.	<p>1. Review historical practices in the field in order to arrive at clarity in defining the role of the victim advocate.</p> <p>2. Clarify and compare current victim advocates role in victim's safety and for system accountability.</p> <p>3. Establish the role of victim advocates in Seattle's criminal justice system.</p>	<p>Lead: CAO/Victim Advocate participants to include reps from SPD and VST Technical Assistance: DSVPO Begin May 2005 — end December 2005</p> <p>Lead: CAO/Victim Advocate participants to include reps from SPD and VST Technical Assistance: DSVPO Begin June 2005 — end December 2005</p> <p>Lead: DSVPO Begin June 2005 — end December 2005</p>	<ul style="list-style-type: none"> <li>▪ Notebooks with research for interagency distribution.</li> <li>▪ A report about historical practices.</li> <li>▪ Summary report of new procedures related to victim advocates role in the criminal justice system.</li> <li>▪ Policy statement on the role of victim advocates across agency lines.</li> </ul>	Planning & Development Specialist: .25 FTE

\* = New Resource



## City of Seattle

### Advocacy and Victim Services Strategy

**Goal: Design and implement a comprehensive City victim advocacy service plan that includes community advocacy and service linkage.**

Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
2. Create and implement a victim safety inventory tool that can be used by victim advocates across the City's criminal justice system.	<ol style="list-style-type: none"> <li>1. Review, pilot and promote an acceptable victim safety inventory tool with potential utilization across agencies.</li> <li>2. Promote the use of the victim safety inventory by victim advocates, through training.</li> <li>3. Interview advocates to gauge ways in which trainings have enhanced practice.</li> </ol>	<p>Leads: SCADVU, SMC – designated leads</p> <p>Begin January 2005 — end August 2005</p> <p>Lead: DSVPO Begin June 2005 — end April 2006</p>	<ul style="list-style-type: none"> <li>▪ Victim Safety Inventory Tool</li> <li>▪ Training and evaluation materials and training rosters.</li> <li>▪ Report on safety analysis findings.</li> </ul>	<p>Trainer: .1 FTE</p> <p>Trainer: .10 FTE*</p>
3. Build and sustain a collaborative advocacy service plan for use across the City's criminal justice system.	<ol style="list-style-type: none"> <li>1. Obtain leadership support from the DVPC.</li> <li>2. Determine resource needs.</li> <li>3. Name Coordinator.</li> <li>4. Create guidelines for the advocacy service plan similar to existing KCCADV co-advocacy agreements/best practices.</li> <li>5. Build DV advocate partnerships that commit to working together. (See Prosecution Plan Goal #1, Obj. #1.</li> </ol>	<p>Lead: DSVPO/VST</p> <p>Begin June 2005 — on-going</p>	<ul style="list-style-type: none"> <li>▪ Advocacy service plan that includes communications strategy and working agreements.</li> <li>▪ Annual report that provides updates on plan implementation.</li> </ul>	<p>Planning &amp; Development Specialist: .2 FTE</p>



City of Seattle

### **Advocacy and Victim Services Strategy**

**Goal: Design and implement a comprehensive City victim advocacy service plan that includes community advocacy and service linkage.**

#### **Expected Outcomes**

1. Enhanced victim advocacy services provided by highly skilled victim advocate workers with the City of Seattle's Criminal Justice System.





## City of Seattle

### Batterer Intervention

#### Introduction

In 2002, nearly 30 percent of the convicted DV offenders received batterer intervention as part of their sentence. The standards for certified batterer treatment programs in Washington State are set forth in the Washington Administrative Code (WAC 388-60-0255, 0265).

Generally, those referred to batterer treatment as a condition of their probation are required to do the following: complete an evaluation/assessment; complete a minimum of 26 weeks of weekly group counseling sessions; and complete an additional four to six months of counseling sessions. Thus, in order to complete the program, it generally takes a *minimum* of one year. According to Batterers' Intervention expert, Joan Zegree, "for durable change, a one-year program is merely the beginning."

Further, the WAC requires treatment providers to establish specific criteria for completion of treatment. In addition to attending the minimum number of sessions, the perpetrator must:

- Stop the use of all violent acts or threats of violence;
- Stop using abusive and controlling behavior;
- Adhere to a specific responsibility plan;
- Comply with court orders; and
- Comply with other conditions of the contract for treatment services, such as chemical dependency treatment.

Successful completion of this treatment, however, does not happen in a vacuum. Every part of a municipality's coordinated response system to domestic violence (law enforcement, prosecution, court, and social services), plays vital roles in making intervention with the batterer effective. Specifically, community response elements should include: 1) Support and advocacy for victims and their children, 2) Court review process, 3) Probation, 4) The larger community sending a consistent, clear and strong message, and 5) Intervention Standards (see below).<sup>1</sup> While Seattle has some of these elements in place, significant gaps and barriers exist. Seattle's recently completed assessments on the criminal justice response to domestic violence provide some insight and information about some of these gaps and barriers.

#### From the report on "Prosecution Response to Misdemeanor DV Cases"

Some of the victims, prosecutors, advocates, police, and probation officers interviewed expressed frustration with the post-sentencing part of the process, saying that most domestic violence offenders do not complete anger management classes or batterer programs. Reasons given for non-completion were finances, offenders committing new crimes, offenders not believing they need treatment, or offender manipulation. These opinions were borne out by observations of the Review Calendar and interviews where advocates and victims expressed frustration with the lack of accountability that sometimes occurred with probation violations for not attending treatment ("They always give them another chance") and with Stipulated Orders of Continuance ("No one does anything about these orders"). Some probation officers said that this problem is related to agreeing on sentences and conditions without involving corrections and program staff, and winding up with defendants and sentences that are inappropriate for one another. Judges indicated offender accountability could be increased if probation officers were present for review hearings.

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<sup>1</sup> Zegree, J., "Batterers Intervention: All You Need To Know", Article Published by the National College of District Attorneys, 1999.



## City of Seattle

### From “A Report on DV Unit, Seattle Municipal Court Probation”:

Probation counselors and judges interviewed for this report identified the following gaps in batterer intervention as a sanction in Seattle’s criminal justice system:

- Low-cost treatment for indigent offenders. Currently, the lowest available fee for treatment in Seattle is \$100 for the initial intake and \$20 per session per week, although many programs charge higher fees, even for indigent clients;
- Treatment for African-Americans and Native Americans, using culturally-specific curricula;
- Additional treatment for non-English speakers;
- Treatment programs for lesbians and gays;
- More structured, in-depth programs for parents who abuse their children (currently there is only one parenting program that covers issues specific to child abuse);
- Combined mental health and DV treatment (there is currently no single treatment program that addresses both issues);
- Treatment for DV offenders with limited or no literacy skills; and
- Assistance for DV offenders with job training and with employment. Many offenders are court-mandated to chemical dependency and DV treatment, but lack job skills or employment. It is not generally part of the court order or the treatment programs to assist them with obtaining employment, but without employment, they are unable to pay for treatment.

### From “A Report on DV Cases in Seattle Municipal Court”:

The many batterer intervention providers implement their programs differently. This presents a challenge to the Court, which has the role of attempting to apply fair and equitable sanctions to the offenders under its jurisdiction. For example, one offender who attended eight months of treatment, has been given a certificate of completion by his treatment program, and is now shipping out to Iraq with his Army unit. He requests early termination of his probation, given that all other conditions of his sentence have been completed. Another offender has been in treatment for fourteen months, having started treatment on two separate occasions in two different programs. The first program terminated him for non-compliance due to his lack of attendance. The offender claims he couldn’t get to the program because he lost his driver’s license due to unpaid traffic tickets. He was paying for treatment and court-ordered child support, so he was unable to pay the traffic tickets. Shortly thereafter, he lost his job. He has since found another job, paid his tickets off and started treatment again, but the second treatment program required that he begin treatment from phase one. He is now in his twenty-second month of probation under his sentence and will not complete the treatment program before his probation supervision has expired under statutory jurisdictional limits. This difference in programming illustrates some of the challenges the Court and probation face, for example:

- What length of treatment will result in significant reduction in battering behavior?
- What constitutes “substantial” compliance vs. strict compliance?
- Without longer jurisdictional authority, what options does the Court have with respect to holding offenders accountable under an equitable standard?
- How can the Court and other partners in the coordinated response system address the economic barriers presented by some offenders?

### Program Effectiveness

The question of whether batterer intervention is effective is complex and controversial. In an extensive review of the literature on the effectiveness of batterer intervention programs, Gondolf reports that batterer program evaluations “show 50-80% of program **completers** to be nonviolent at the end of a 6-month to 1-year period, as verified by their partners.” The reduction of other forms of abuse, however, is less clear (threats, stomping, put downs, etc.). Still, batterer intervention programs success rates, for



## City of Seattle

those who do complete, are comparable to those in drug and alcohol programs and sex offender programs.<sup>2</sup> It is important to note that many of those DV offenders who are ordered to attend treatment do not complete.

In a 2001 paper, “Controversies and Recent Studies of Batterer Intervention Program Effectiveness” Bennett and Williams review myriad issues in program evaluation. The authors explore complexities in determining program effectiveness due to factors such as co-occurrence of issues (i.e., unemployment, substance abuse), attrition or high rate of non-completion, and recidivism measures. They say, “[t]he most important ‘outcome indicator’ is not individual behavior or recidivism, but rather community behavior: specifically, the community response to batterer non-compliance.”<sup>3</sup>

Batterer intervention research findings may have current application to practice. Bennett and Williams offer the following “as hypotheses generated from research and practice”:

1. **Batterer Intervention Programs (BIPs) have a small but significant effect.** They are critical elements in an overall violence prevention effort. The most effective reduction in partner violence will occur in those communities with the strongest combination of coordinated, accountable elements.
  2. **BIPs are more effective for some men than others.** One in four men referred to a BIP will account for most of the repeat violence and most of the serious injury within a batterer program.
  3. **Assessment must occur on an ongoing basis.** Most re-offense occurs early, usually within six months of initial program intake. Ongoing assessments are needed and should include both battering and substance abuse.
  4. **Encourage experimentation and program development.** Within the boundary of safety and accountable practice, developing effective programs is more likely under conditions of supervised experimentation. The safe way to engage in experimentation to boost program effectiveness is to work closely with criminal justice authorities, a local victim services agency, and victim advocates.
- Evaluate outcomes.** Programs which routinely evaluate what they do – and its effectiveness – are likely safer than programs which do not conduct routine evaluations. A batterers program alone is not enough to prevent violence.

The City of Seattle subsidizes treatment for court-mandated indigent batterers at four non-profit State-certified batterers’ intervention programs. Two of the programs serve the general population, one program targets Spanish-speaking batterers, and one program provides native language/culturally appropriate services to batterers from the Korean, Filipino, and Southeast Asian communities. The 2003 data for these programs indicate 381 clients served, 178 (46%) dropped out, 126 were still enrolled in the program, and 77 completed. The two culturally specific programs have the lowest dropout rates and the highest completion rates.

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<sup>2</sup> Gondolf, E., “Batterer Intervention Systems: Issues, Outcomes, and Recommendations,” Sage Publications, 2002

<sup>3</sup> Bennett, L. & Williams, O., “Controversies and Recent Studies of Batterer Intervention Program Effectiveness,” VAWnet, National Electronic Network on Violence Against Women, 2001.



**City of Seattle**

### **Recent developments**

Recent system and community enhancements related to Batterers' Intervention includes:

- Data base updates to improve tracking of offender compliance with sentencing obligations were funded through Violence Against Women Act (VAWA) grant
- Seattle Municipal Court staff has worked to develop their Resource Center to include chemical dependency services, batterer intervention services, mental health services and Department of Social and Health Services connection

**Cross Reference of Other Strategic Issues:** Sanctions and Victim Defendants.



## City of Seattle

## Batterer Intervention Strategy

**Goal: Incorporate an effective batterer intervention policy in Seattle's coordinated community response.**

Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
1. Analyze current practice in Seattle and the results of this practice.	1. Involve batterer intervention providers, probation counselors, the King County Public Defense Administrator, City Attorney's Office and advocates in an assessment of current practice of BI as program and sanction.  2. Review and analyze current agency practices and results, including information about what is working and system barriers, as well as client-specific information, e.g. criminal history  3. Review and monitor research literature and best practice information, and assemble data.  4. Submit report of analysis and assessment of DVPC, along with recommendation for best practice recommendation.	Lead: DSVPO & SMC Probation Services  Begin April 2005; end December 2005	▪ Report on analysis, evaluation and best practice literature search.	Planning & Development Specialist: .25 FTE*  Researcher – FTE - TBD
2. Develop city policy on the use of batterer intervention as a sanction based on the results of the analysis of current practice.	1. Conduct briefings to inform the policy statement.  2. Draft statement for discussion, approval and implementation.	DSVPO Begin January 2006; end June 2006	▪ Policy statement on batterers' intervention as a service system and sanction in Seattle's criminal justice system.	Planning & Development Specialist: .1 FTE

\*New Resource



## City of Seattle

### Batterer Intervention Strategy

**Goal: Incorporate an effective batterer intervention policy in Seattle's coordinated community response.**

Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
3. Develop appropriate business practices to foster successful implementation of City's policy on the use of batterer intervention, based on the results of the analysis of the current practice.	<ol style="list-style-type: none"> <li>1. Review policies and procedures/ protocols.</li> <li>2. Revise business practices and contracts, as needed.</li> <li>3. Train on new protocols and practices.</li> <li>4. Develop evaluation plan.</li> </ol>	<p>Lead: DSVPO, reps from City Attorney Office, Court, Probation, HSD</p> <p>Begin July 2006 end June 2009</p>	<ul style="list-style-type: none"> <li>▪ Policies, procedures, and protocols.</li> <li>▪ Training and evaluation documents.</li> </ul>	<p>Planning &amp; Development Specialist: .25 FTE*</p>
4. Explore advocating at the state legislative level for DV extensive supervision, similar to jurisdictional enhancements for DUI offenders (see "Sanctions, Objective 4")	<ol style="list-style-type: none"> <li>1. Review results of the current practice to determine the need for extended supervision</li> <li>2. Identify and work with partners statewide to develop legislation and strategy.</li> <li>3. Explore the legislative changes involved in the DUI enhancements in 2002</li> <li>4. Draft an impact analysis of the effect of any proposed legislation on local courts and jurisdictions.</li> <li>5. Finalize proposed legislation &amp; legislative strategy</li> <li>6. Implement legislative strategy.</li> </ol>	<p>Lead DSVPO, HSD, SMC, CAO, OIR</p> <p>Begin April 2006; end July 2009</p>	<ul style="list-style-type: none"> <li>▪ Notes from meetings</li> <li>▪ Reports on analysis</li> <li>▪ Inter-agency agreements with state association</li> <li>▪ Legislation</li> <li>▪ Legislative Strategy</li> <li>▪ New Law</li> </ul>	<p>Planning &amp; Development Specialist: .1 FTE</p>
Expected Outcomes				
<ol style="list-style-type: none"> <li>1. Improved system for appropriate candidates being sanctioned to batterers intervention</li> <li>2. Improved completion rates</li> <li>3. Improved compliance</li> </ol>				



## City of Seattle Firearms

### Introduction

The United States has a high rate of domestic violence, including many murders that are committed with guns. About two-thirds of the intimate partner homicides in the U.S. are committed using guns. Seattle and Washington State are no exception. From 1997 to August of 2002, there was a total of 308 domestic violence homicides in Washington, 84 of them in King County. This includes homicides of domestic violence victims, their children, friends and family, police officers, self-defense homicides in which perpetrators were killed, and perpetrator suicides. Domestic violence perpetrators killed 59 percent of these homicide victims with a handgun or rifle. At least 12 of these homicides were committed by perpetrators using firearms they were federally prohibited from possessing because they had a prior domestic violence conviction.

The partners in the Seattle-King County criminal justice community are working together to remove guns from domestic violence perpetrators. Specifically, they are developing a comprehensive approach that would prohibit anyone subject to a restraining order or convicted of domestic violence from acquiring or possessing a firearm. The intent is to have the prohibitions quickly and effectively enforced, and violators prosecuted to the full extent of the law. In addition, police would be required to remove firearms from the scenes of domestic violence calls, as the law allows, protecting the victim and the community. To facilitate this process, the City wants to work with its partners to explore new state legislation that would empower local law enforcement and prosecutors to confiscate weapons. This legislation will complement current federal laws and fill noted loopholes that have prevented effective enforcement at the federal, state and local level.

Local work in firearm confiscation began in 1995 when the Criminal Justice Committee (CJC) of the City of Seattle Domestic Violence Prevention Council elected to examine the role of firearms in domestic violence. A Firearms Subcommittee of the CJC began preliminary research on the issue. They could find no law enforcement agencies actively pursuing this area of law enforcement and subsequently recommended that the Council focus on this critical issue.

In 2002, the City of Seattle's Domestic & Sexual Violence Prevention Office (DSVPO) secured funding to work with the Seattle Municipal Court, Seattle Police Department, and City Attorney's Office to research national best practices on firearm confiscation and make recommendations. In 2003, DSVPO secured additional federal funding to help the King County Sheriff's Office initiate a domestic violence firearms project. Under this project, a database for tracking firearm information, from the incident report supplemental form to the orders for surrender, was developed. Further, under strong judicial leadership from a specialized King County domestic violence court, orders for misdemeanor perpetrators to turn in their firearms within 24 hours of sentencing and return to court within 48 hours with proof of surrender from the King County Sheriff ramped up activity on firearm surrender, getting the attention of law enforcement and policymakers. This work on firearms in King County is one of the first efforts in the nation to address the issue, and is serving as a model for efforts by our Seattle criminal justice partners.

The 2003 assessment report, "Removing Firearms from Domestic Violence Perpetrators," identified areas within the Seattle criminal justice system needing improvement or strengthening:

- Policies within law enforcement, prosecution or judiciary that support the removal of guns from perpetrators
- Removal of firearms by police officers at a domestic violence scene
- Documentation in police reports of the presence of guns
- Removal of firearms from arrested perpetrators prior to conviction
- Enforcing of provisions in protection orders prohibiting the purchasing or possession of firearms
- Procedures for surrendering firearms

### Recent developments



## City of Seattle

Following the release of the 2003 assessment report, the issue of firearms is being addressed through the efforts of an interagency committee consisting of representatives of the Seattle Police Department, City Law Department, the Seattle Municipal Court, the King County Sheriff's Office and the Domestic & Sexual Violence Prevention Office. Accomplishments to date include:

- Issuing of directives to personal recognizance screeners and probation counselors regarding firearms and domestic violence offenders,
- Drafting of court orders assuring removal of firearms from domestic violence offenders.
- Entering of codes in the Municipal Court Information System that allow for tracking the status of firearm surrender, seizure and forfeiture.
- Designing training on firearms surrender, seizure and forfeiture
- Developed new DV supplemental forms for the Seattle Police Department to assure that relevant firearm fields are completed

The strategic plan that follows builds on the work that has been initiated by the firearm confiscation projects in Seattle and King County, as well as the combined efforts of the Seattle Police Department, the City Attorney's Office, the City Municipal Court, and the Domestic & Sexual Violence Prevention Office.

**Cross Reference of Other Strategic Issues:** Prosecution Plan regarding high risk offenders and Investigations.





City of Seattle

**Firearms Strategy**

**Goal 1: Determine policies and implement procedural steps and best practices for handling firearm removal from domestic violence offenders and individuals prohibited from possessing them due to criminal domestic violence conviction.**

Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
1. Write policies to enhance the removal of firearms from batterers as prescribed by law.	<ol style="list-style-type: none"> <li>Develop policy statements in SPD, Court and City Attorney's Office related to surrender, seizure and forfeiture of firearms.</li> <li>Present policies to DVPC for adoption.</li> </ol>	<p>Lead: SPD, Seattle Municipal Court, SCADVU designated leaders</p> <p>Begin April 2005; end December 2005</p>	<ul style="list-style-type: none"> <li>Policy statements for the removal of firearms.</li> <li>Report on the review of policy statements by the DVPC.</li> </ul>	
2. Design and write procedural steps and corresponding forms to enhance the surrender, seizure and forfeiture of firearms for SPD.	<ol style="list-style-type: none"> <li>Develop procedures regarding firearms at the scene.</li> <li>Determine procedures for patrol officers to: a) investigate the matter of firearms, b) obtain consent to view firearms, c) seize them when they are possessed illegally or when they are an instrumentality of a crime, and d) accept surrender of firearms.</li> <li>Formulate procedures for the victim support team to address firearms with victim.</li> <li>Ensure SPD has procedures for an active search component to respond to warrants related to firearm violations</li> <li>Determine all logistics related to storage and return of firearms.</li> <li>Continue to incorporate safety planning and information sharing related to firearms by system's advocates and share information with prosecuting attorney.</li> </ol>	<p>Lead: Seattle Police Department Domestic Violence Unit</p> <p>Begin January 2005; end December 2005</p>	<ul style="list-style-type: none"> <li>Standard operating procedures</li> <li>Report on the analysis of firearms surrendered, seized, and forfeited and thoroughness of information regarding firearms</li> </ul>	



City of Seattle

**Firearms Strategy**

**Goal 1: Determine policies and implement procedural steps and best practices for handling firearm removal from domestic violence offenders and individuals prohibited from possessing them due to criminal domestic violence conviction.**

Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
3. Design and write procedural steps and corresponding forms to enhance the surrender, seizure and forfeiture of firearms for the City Attorney's Office.	<ol style="list-style-type: none"> <li>1. Develop procedures for prosecuting attorney's office to ascertain the possession of firearms and documentation to present to Court.</li> <li>2. Create procedures for responding to information regarding firearms and firearms regulation.</li> <li>3. Respond to new information regarding firearms and firearms violations.</li> </ol>	<p>Lead: SCADVU/ Lead Criminal ACA</p> <p>Begin January 2005; end December 2005</p>	<ul style="list-style-type: none"> <li>▪ Procedures established</li> <li>▪ Updates on information and procedures</li> </ul>	
4. Design and write procedural steps and corresponding forms to enhance the surrender, seizure and forfeiture of firearms for the Court.	<ol style="list-style-type: none"> <li>1. Formalize procedures for personal recognizance screeners so that information about firearms is being collected and reported to the Court.</li> <li>2. Establish within the Court a process for issuing firearms prohibition orders and monitoring offenders for compliance.</li> <li>3. Develop procedures for Court staff to initiate and facilitate the judge's order.</li> <li>4. Formalize procedures for probation counselors to monitor the offender's compliance regarding firearms and report violations.</li> <li>5. Establish within the Court a process for responding to firearm violations</li> </ol>	<p>Lead: Seattle Municipal Court/ Designated Lead</p> <p>Begin January 2005; end December 2005</p>	<ul style="list-style-type: none"> <li>▪ Established procedures</li> <li>▪ Updates on information and procedures</li> </ul>	



## City of Seattle

## Firearms Strategy

**Goal 1: Determine policies and implement procedural steps and best practices for handling firearm removal from domestic violence offenders and individuals prohibited from possessing them due to criminal domestic violence conviction.**

Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
5. Utilize existing database systems for access by SPD, the Court and the City Attorney's Office to promote exchange of firearm information and to coordinate across systems.	<ol style="list-style-type: none"> <li>1. Establish initial procedures requiring all involved agencies to check for information related to firearms and domestic violence offenders.</li> <li>2. Design monitoring database procedures.</li> <li>3. Adhere to prescribed monitoring database procedures.</li> <li>4. Establish and follow procedures for returning firearms as allowed by the Court, including provision that SPD check databases and orders</li> </ol>	<p>Lead: SPD, Seattle Municipal Court, SCADVU designated leaders</p> <p>Begin January 2005 – August 2005</p>	<ul style="list-style-type: none"> <li>▪ Reporting function set up in databases</li> <li>▪ Reports on the monitoring of databases</li> <li>▪ Brief reports on achievements or needed changes</li> </ul>	
6. Design and facilitate training tailored to each department for all criminal justice personnel to introduce new domestic violence goals, policies and procedures and data systems.	<ol style="list-style-type: none"> <li>1. Scope out training needs.</li> <li>2. Design training and supplemental materials.</li> <li>3. Create evaluation instrument to assess effectiveness of training.</li> <li>4. Work with agency leads to create a post-training plan to guarantee the continued development of skills addressed in training.</li> <li>5. Deliver training and plan for on going needs.</li> </ol>	<p>Lead: SPD, Seattle Municipal Court, SCADVU designated leaders</p> <p>Begin September 2005; end June 2006</p>	<ul style="list-style-type: none"> <li>▪ Training Plan</li> <li>▪ Training agendas and evaluations</li> </ul>	
7. Create a Communication plan regarding the new City-wide firearms program.	<ol style="list-style-type: none"> <li>1. Continue the interdisciplinary team meetings.</li> <li>2. Encourage the linkage to community-based advocacy systems and programs for limited English speakers.</li> <li>3. Provide updates to DVPC, City Council, City Agencies and other jurisdictions.</li> </ol>	<p>Lead: DSVPO</p> <p>Support: SPD, Seattle Municipal Court, SCADVU designated leaders</p> <p>Begin February</p>	<ul style="list-style-type: none"> <li>▪ Notes from meetings</li> <li>▪ List of community based advocacy programs</li> <li>▪ Brochures in targeted languages</li> <li>▪ Update reports</li> </ul>	<p>Planning &amp; Development Specialist: .1 FTE</p> <p>Funding for translations*</p>



City of Seattle

**Firearms Strategy**

**Goal 1: Determine policies and implement procedural steps and best practices for handling firearm removal from domestic violence offenders and individuals prohibited from possessing them due to criminal domestic violence conviction.**

Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
		2005; end December 2005		
8. Explore legislative change at the state level that will empower local law enforcement officials to confiscate firearms, consistent with federal law. <i>(18 U.S.C. &amp; 19 U.S.C. Lautenberg Amendment)</i>	<ol style="list-style-type: none"> <li>1. Include the Washington Association of Prosecuting Attorney's (WAPA) and Washington Association of Sheriff's and Police Chiefs (WASPC) to gain support among state prosecutors for the proposed legislation.</li> <li>2. Explore search and seizure and other concerns related to enforcement of civil protection orders.</li> <li>3. Draft proposed legislation.</li> </ol>	<p>Lead: DSVPO</p> <p>Support: SPD, SCADVU; DVPC designated leaders OIR.</p> <p>Begin June 2005 End December 2009</p>	<ul style="list-style-type: none"> <li>▪ Notes from meetings</li> <li>▪ Inter-agency agreement with WAPA, WASPIC</li> <li>▪ Draft legislation</li> <li>▪ New Law</li> </ul>	Planning & Development Specialist: .1 FTE

**Expected Outcomes**

1. Increase validation of the number of firearms surrendered, seized and forfeited by 40 percent.
2. Written policies, procedures and forms for SPD, Court and CAO delineating the surrender, seizure and forfeiture of firearms.
3. Increase database systems utilization to ensure firearm information is obtained and to coordinate across systems by 40%.
4. Detailed training plan designed and delivered to introduce new domestic violence goals, policies and procedures and data systems.
5. Fewer domestic violence related homicides due to firearms.



## City of Seattle

Firearms Strategy				
Goal 2: Determine and implement appropriate best practices for handling firearm removal from those prohibited from possessing firearms due to domestic violence civil protection orders.				
Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
1. Develop policies to enhance removal of firearms from those prohibited from possessing firearms due to DV civil protection orders.	1. Develop policy statement(s) 2. Compare statements to the law and make revisions as necessary. 3. Present policy(s) to DVPC for adoption.	Lead: SPD/DSVPO  Assist: KCPO  Begin January 2007; end February 2008	▪ Policy statement	Planning & Development Specialist: .25 FTE*
2. Develop and implement a set of protocols for handling firearm removal from those prohibited from possessing firearms due to DV civil protection orders.	1. Convene an interagency workgroup including SPD, SCADVU, DSVPO, King County Prosecuting Attorney's office and other appropriate agencies. 2. Determine protocols for implementation.	Lead: SPD/DSVPO  Assist: KCPO  Begin April 2008; end December 2008	▪ Protocols regarding firearm removal from those prohibited from possessing firearms due to domestic violence civil protection orders.	
3. Design and write procedural steps and design and facilitate training for appropriate staff.	1. Develop procedures 2. Design training 3. Deliver training and plan for ongoing needs	Lead: SPD/DSVPO  Assist: KCPO  Begin March 2009; end December 2009	▪ Procedures ▪ Training plan, materials and evaluations	↓ Trainer: .1 FTE* (less Planner)

\*New Resource



## Firearms Strategy

**Goal 2: Determine and implement appropriate best practices for handling firearm removal from those prohibited from possessing firearms due to domestic violence civil protection orders.**

## Expected Outcomes

1. Increase validation of the number of firearms surrendered, seized and forfeited from those prohibited from possessing them due to DV civil protection orders by 20 percent.
2. Written policies and procedures delineating the surrender, seizure and forfeiture of firearms from those prohibited from possessing them due to domestic violence civil protection orders.
3. Detailed training plan designed and delivered to introduce new goals, policies and procedures.

## Firearms Strategy

**Goal 3: Enhance regional prevention and public education on firearms and domestic violence, including laws about domestic violence offenders and individuals prohibited from possessing them due to criminal DV conviction and DV civil protection orders.**

Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
1. Explore, with King County, the implementation of a community education campaign regarding the linkages between firearms and domestic violence, including issues concerning domestic violence offenders and individuals prohibited from possessing firearms due to criminal DV conviction and DV civil protection orders.	<ol style="list-style-type: none"> <li>1. Assess current communications efforts in the community</li> <li>2. Hire Consultant, if appropriate</li> <li>3. Develop a communications plan</li> <li>4. Implement the plan</li> </ol>	Lead: DSVPO/SPD King County Judicial Administration  Begin April 2007; end June 2008	<ul style="list-style-type: none"> <li>▪ Community Education plan</li> <li>▪ New clippings, footage</li> </ul>	Planning & Development Specialist: .2 FTE*

\*New Resource



Firearms Strategy				
Goal 3: Enhance regional prevention and public education firearms and domestic violence, including about domestic violence offenders and individuals prohibited from possessing them due to criminal DV conviction and DV civil protection orders.				
Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
2. Train key community partners on such issues as risks regarding firearm possession and domestic violence, relevant laws, protocols for surrender, seizure and forfeiture of firearms.	1. Assess current efforts regarding training regarding these issues. 2. Develop training plan and/or curricula 3. Develop communications plan/strategies 4. Incorporate communications strategies for training into the communications plan (see above) 5. Implement communications strategies. 6. Implement training.	Lead: DSVPO/SPD/ KCPO  Begin April 2007; end December 2009	<ul style="list-style-type: none"> <li>Training plan</li> <li>Training agendas, materials, and evaluations</li> </ul>	Trainer: .25 FTE*
Expected Outcomes				
1. Increase the number of presentations about the linkages between firearms and domestic violence by 20 percent.				

\*New Resource



## City of Seattle Investigations

### Introduction

Initial and follow-up domestic violence investigations are grounded in a comprehensive response procedure and involve a number of best practices that include:

- risk/danger assessment
- thorough approach at the initial contact including adherence to officer safety procedures,
- prescribed contact procedures including location of potential weapons, identification of potential witnesses, identification of primary aggressor, assessment and documentation of injuries, separation of parties, documentation of victim's and suspect's demeanor and determination for need of a translator,
- use of effective interview techniques determined by best practice,
- provision for safe protection of children who may be involved in the incident,
- assessment and documentation of the crime scene, and
- seizure of weapons as provided by law
- call outs to Victim Support Team

The Seattle Police Department is required to complete an Incident Report on all domestic violence incidents where a crime has been committed. In May 2003, as a part of Seattle's broad assessment of its domestic violence response the office of Domestic and Sexual Violence Prevention asked Praxis International, Inc., to conduct a text analysis of Seattle Police Department (SPD) domestic violence incident reports. While many positive procedures were noted in the report (i.e., officers documenting and photographing injuries, calling for medical attention, noting of victim and suspect appearance, reporting on involvement under the influence of alcohol or drugs, etc.) the text analysis of reports raised several issues about documentation of investigation and risk assessment that included:

- The incident report and Domestic Violence Incident Supplemental Report (DVISR) often omitted the substance of and context of the incident. Many narratives lacked detail, particularly when combined with a missing DVISR;
- Incident reports suggested inconsistent patrol response in investigation and evidence collection. For example, contact information for victims, witnesses, and suspects was often missing or incomplete. In all but one case there was no information about the suspect's access to firearms;
- Risk/danger assessment was often missing or incomplete. Of the 89 reports, 39 lacked information about prior domestic violence and 52 lacked information about prior domestic violence related arrests. This included cases involving assaults in public places and strangulation;
- Children were nearly invisible in the incident reports. There was little information regarding the presence and welfare of children;
- Attempts to locate "At Large" suspects were limited and inconsistent;
- On-site victim support and referrals to other domestic violence resources were missing. Only two reports out of 89 cases requested assistance from the Victim Support Team; and
- Articulation of primary aggressor considerations was evident, but inconsistent.

Other areas raised by the assessment or through the work of the assessment committee for further exploration are:

- Return to Scene by primary investigating officer as investigative best practice;
- Criminal History checks at the scene;
- Caseload of domestic violence and other elder abuse reports in Domestic Violence Unit;
- Quality control on DV Incident Reports is needed at the precinct level; and
- Low capacity of Misdemeanor DV case follow up.

### Recent developments





## City of Seattle

Recent improvements, enhancements, and accomplishments include:

- All front line officers and supervisors completed mandatory eight-hour training in Domestic Violence Best Practices, including modules on the following topics, primary aggressor, stalking, elder abuse, strangulation, court orders, custodial interference, report writing, evidence collection and animal abuse;
- The formation of a Domestic Violence Firearm Forfeiture and Seizure Committee to begin developing policies and procedures and best practices for firearm removal;
- Analysis of impact of elder abuse complaints on the DV Unit, including resource needs;
- Redesigned best practices training for other law enforcement agencies and other domestic violence service providers;
- Completed follow-up roll call training to front line personnel regarding incorporating Victim Support Team volunteers as integral to SPD DV response;
- Sustained DV Unit grant funded victim advocate positions working on felony level cases and co-located with investigators;
- Work towards a new online reporting system to provide electronic, and when necessary paper, information on location history and individual history; and
- Work to develop a DV and Firearms roll call training.

The plan that follows below extend the current work of SPD over the next two to five years and suggest procedural steps to put into practice a more thorough domestic violence investigation process.

**Cross Reference: Advocacy and Victim Services, Firearms, Prosecution Plan, and Victim Defendants**



## City of Seattle

## Investigations Strategy

## Goal 1: Identify and implement all best practices in domestic violence investigations.

Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
1. Adopt relevant law enforcement portions from the Tool Kit, as a matter of policy	<ol style="list-style-type: none"> <li>1. Review the Tool Kit in order to determine what practices and processes fit.</li> <li>2. Compare results of the review to assessment findings.</li> <li>3. Create implementation steps for each category selected from the Tool Kit and identified in the Assessment.</li> <li>4. Decide if a pilot is appropriate or needed.</li> <li>5. Determine any training needs to implement new bench marks.</li> <li>6. Design training</li> <li>7. Create an instrument to measure the effectiveness of the action plan components.</li> <li>8. Make revisions to training as necessary.</li> </ol>	<p>Lead: SPD Domestic Violence Unit</p> <p>Begin January 2005; end December 2006</p>	<ul style="list-style-type: none"> <li>▪ Evaluation report on SPD practices and processes vs. Tool Kit.</li> <li>▪ Report on post-training assessment to record how processes have changed, or if they have.</li> <li>▪ Analysis of findings.</li> <li>▪ Revisions to procedures.</li> <li>▪ Training plan and evaluation.</li> </ul>	<p>SPD DV Unit Staff</p> <p>Trainer: .25 FTE (HSD)</p>
2. Continue to provide on-going training to front-line officers and supervisors to produce thorough investigative follow-through.	<ol style="list-style-type: none"> <li>1. Assess completeness of reports through a review process to be determined for training purposes.</li> <li>2. Analyze new training approaches to correspond to information gleaned from reports.</li> <li>3. Determine what areas of training need special attention and make appropriate changes.</li> <li>4. Design evaluation process to see that new approach) is successful.</li> </ol>	<p>Lead: SPD Domestic Violence Unit</p> <p>Begin March 2005; on-going</p>	<ul style="list-style-type: none"> <li>▪ Report on monitoring process and results.</li> <li>▪ Final report on findings and recommendations.</li> <li>▪ Revised training plan and content.</li> </ul>	<p>SPD DV Unit Staff</p> <p>Trainer: .1 FTE (HSD)</p>



### Investigations Strategy

#### Goal 1: Identify and implement all best practices in domestic violence investigations.

Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
3. Comply with Washington State Resolution 6161, Domestic Violence by Law Enforcement Officers, to assure that policies/procedures are in place and adequate training is provided to all officers regarding officers involved in domestic violence cases.	<ol style="list-style-type: none"> <li>1. Follow the guidelines SPD has established for conducting domestic violence investigations as outlined in Procedures and Tactics Publication 030 and comply with all State and City law with regard to how investigations shall be conducted.</li> <li>2. Comply with the training requirements set forth to the Washington Association of Sheriffs and Police Chiefs (WASPC) on domestic violence by law enforcement officers.</li> </ol>	<p>Lead: SPD</p> <p>Begin January 2005; end June 2005</p> <p>Lead: SPD</p> <p>Begin Training Design June 2005; Training begins October 2005; end June 2006; ongoing for new employees</p>	<ul style="list-style-type: none"> <li>▪ Policy.</li> <li>▪ Training and evaluation report,</li> </ul>	SPD Advanced Training Unit
4. Implement an improved report writing and accountability system that fosters completion of all fields in reports, with supervisor oversight.	<ol style="list-style-type: none"> <li>1. Design and deliver training on report writing.</li> <li>2. Create a pilot to assess the use of the new system.</li> <li>3. Make appropriate changes to training.</li> <li>4. Work with administrative staff on how to coach officers on use of new system.</li> <li>5. Create a process for coaching officers who need extra assistance.</li> <li>6. Provide appropriate coaching training to supervisors on how to provide all necessary feedback.</li> </ol>	<p>Lead: SPD</p> <p>Begin January 2007; end December 2009</p>	<ul style="list-style-type: none"> <li>▪ Review on qualitative supervisory coaching experiences.</li> </ul>	Existing SPD Resources
5. Improve arrest rate in domestic	1. Improve investigative techniques in	Lead: SPD	▪ Statement on four-	Funding for



**City of Seattle**  
**Investigations Strategy**

**Goal 1: Identify and implement all best practices in domestic violence investigations.**

Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
violence cases when the suspect is "gone on arrival."	<p>gone-on-arrival situations.</p> <p>2. Replicate gone on arrival model.</p> <p>3. Incorporate training into on-line bulletins, roll-call training, video CD and through the use of other training tools.</p>	<p>Domestic Violence Unit</p> <p>Begin January 2007; end October 2009</p> <p>Lead SPD Domestic Violence Unit</p> <p>Begin October 2007; end January 2008 Lead: SPD Domestic Violence Unit</p> <p>Begin April 2008; on-going</p>	<p>hour arrest rule.</p> <ul style="list-style-type: none"> <li>▪ Procedures for gone on arrival.</li> <li>▪ Procedures for pilot.</li> <li>▪ Report on pilot findings.</li> <li>▪ Report on model.</li> <li>▪ Training plan.</li> <li>▪ Write training approaches and materials.</li> <li>▪ Evaluation summation report.</li> </ul>	<p>"Gone on Arrival" model*</p> <p>Training Video* (\$3,000)</p>
6. Evaluate misdemeanor follow-up needs.	<p>1. Set criteria for misdemeanor detective follow up.</p> <p>2. Determine number of cases that fit criteria against number of cases resources can support for follow up.</p> <p>3. Monitor impact of efficiencies created once new online reporting system is operating.</p>	<p>Lead: SPD Domestic Violence Unit</p> <p>Begin June 2007; end June 2008</p>	<ul style="list-style-type: none"> <li>▪ Criteria established.</li> <li>▪ Report on case numbers served.</li> <li>▪ Report on impact of reporting system.</li> </ul>	



**City of Seattle**  
**Investigations Strategy**

**Goal 1: Identify and implement all best practices in domestic violence investigations.**

1. Increased documentation in domestic violence incident reports from patrol.
2. Increased supervision of domestic violence incident reports.
3. Compliance with Washington Resolution 6161.
4. Increased arrest of suspects who are gone at arrival.
5. Improved misdemeanor follow-up.



### Investigations Strategy

**Goal 2: Develop and enact policies and procedures for complying with best practices by patrol (i.e., management oversight, supervisory review for compliance, etc.).**

Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
1. Evaluate all domestic violence incidents to foster alignment with best practices.	1. Establish criteria for thorough in-field investigations to confirm consistency in review process. 2. Develop policy and communicate to all those affected by the adoption of the policy. 3. Review and screen every report for thoroughness. 4. Provide immediate feedback, positive or negative, and facilitate for appropriate follow-through.	Lead: SPD Domestic Violence Unit  Begin August 2007; end August 2008	<ul style="list-style-type: none"> <li>Policy.</li> <li>Implementation plan for "how to" review and screen reports for consistency.</li> <li>Checklist on providing positive and negative feedback.</li> </ul>	TBD
2. Conduct quarterly audits of domestic violence reports by Watch Commander to enhance compliance with best practices.	1. Select reports at random. 2. Review for thoroughness. 3. Provide feedback to the supervisor, and if necessary, provide training and coaching in domestic violence reports.	Lead: SPD Domestic Violence Unit  Begin September 2007; on-going	<ul style="list-style-type: none"> <li>Form for review.</li> <li>Checklist on providing positive and negative feedback.</li> <li>Reports on findings.</li> </ul>	
Expected Outcomes				
1. Improvement in completion of domestic violence incident reports.				



## Investigations Strategy

**Goal 3: Hold domestic violence offenders accountable by locating and arresting warrant subjects who are at large.**

Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
To enhance tracking and reporting on efforts to serve warrants on domestic violence subjects.	<ol style="list-style-type: none"> <li>1. Evaluate and prioritize outstanding domestic violence warrants based upon the seriousness of the offense and likelihood of service.</li> <li>2. Improve the effectiveness of methods for tracking and locating domestic violence warrant subjects.</li> <li>3. Coordinate the efforts of patrol officers in locating domestic violence subjects and serving warrants.</li> <li>4. Assess the adequacy of organizational structures, information systems, and resources for identifying and tracking domestic violence warrant subjects.</li> </ol>	<p>Lead SPD, DSVPO, SMC, CAO</p> <p>Outcome Framework: March 2005</p> <p>Annual Report: each July</p>	<p>Provide an annual report, in July each year, that documents efforts to serve warrants on domestic violence suspects. Report to include the following:</p> <ol style="list-style-type: none"> <li>1. Categorization of outstanding domestic violence warrants by seriousness of the offense and likelihood of service, and the number in each category, distinguishing misdemeanor from felony warrants.</li> <li>2. Description of any new methods or initiatives undertaken to increase service of domestic violence warrants.</li> <li>3. Summary of the results of SPD warrant service efforts, including subjects arrested, in custody, at a verified location, other.</li> <li>4. Assessment of organizational structures, resources and information systems needed to support domestic violence warrant service.</li> </ol>	Planning & Development Specialist: .1 FTE



## City of Seattle

## Investigations Strategy

**Goal 3: Hold domestic violence offenders accountable by locating and arresting warrant subjects who are at large.****Objectives****Procedural Steps****Responsible  
Parties/  
Milestones****Intermediate  
Measures****Resources****Expected Outcomes**

To increase apprehensions of domestic violence warrant subjects through Warrant and Protection Order round-ups and patrol service

Consider in the Outcomes Report on the Domestic Violence Strategic Plan, the following measures for domestic violence warrant service activities:

1. For the most recent calendar year, the number of domestic violence warrants issued and the number that were outstanding (i.e., were not quashed or served) at the end of the year. Source: Seattle Municipal Court
2. Number and percentage of Tier I and number of Tier II and Tier III warrants served by SPD, distinguishing those served by the Warrant and Protection Order Unit and those served by other SPD units. Source: SPD
3. The results of SPD warrant service efforts, including the number of subjects arrested, in custody, at a verified location, other. Source: SPD.
4. Jail bookings for of domestic violence subjects, distinguishing arrests for assault, on warrants, for violation of protection orders, other. Source: Jail

\*New Resource





## City of Seattle Prosecution Plan

### Introduction

Since the late 1970s and early 1980s, mandatory arrest and pro-prosecution policies have been part of the criminal justice system response to Domestic Violence all over the country. In Seattle, the City Attorney's Office created the Battered Women's Project in 1978, followed by the Family Violence Project, culminating in 1995 with the Seattle City Attorney's Domestic Violence Unit (SCADVU), which combined advocates and prosecutors into one organization to work together on prosecution of batterers and support and advocacy for victims. The Unit's mission is to provide support, assistance and protection for victims of domestic violence, while holding batterers accountable. Our goal is to act in the best interest of the victim, and the community to prevent further acts of violence. Prosecutors will continue to make the decision as to when to prosecute a case and will promote public awareness that domestic violence is not acceptable in our society. We will do everything we can to empower the victim, while realizing that domestic violence is a complex matter not amenable to simple solutions. The unifying theme of our approach to domestic violence is the recognition that every victim is unique. There is no "one-size-fits-all" approach to domestic violence prosecution that will work in every case. To implement this policy and approach, the Seattle City Attorney's Domestic Violence Unit staff initiated a process to address most of the topics set forth in the Fall 2003 policy statement involving domestic violence prosecution. The Unit divided into small groups to work on recommendations and implementation.

### Changes

#### Victim Safety Inventory

We have developed a victim safety inventory to assess risk to the victim, to assist with safety planning, and allow us to consider risk in our decision about whether to file. Advocates and prosecutors will discuss the information gained from the risk assessment to decide whether to file the case. Risk assessment will also guide our decision to designate a defendant as a High Risk Offender (HRO) and apply HRO special protocols.

#### High Risk Offenders

Over the years we have seen a particular group of batterers that we are calling High Risk Offenders (HRO) who require additional attention from the criminal justice system. We will evaluate every case or defendant referred for domestic violence charges to decide whether these individuals deserve the application of additional resources and different procedures. Some of the factors we will consider include such lethality indicators as use of weapon, escalating amount and type of violence, use of violence in public, enhanced vulnerability of the victim, use of drugs/alcohol during the incident or access to firearms should be considered high-risk offenders. A criminal history of prior convictions for felony domestic violence assaults, sexual assault, use of weapons, felony gang activity within the last five years, or four or more prior events regardless of outcome, would also be considered for High Risk Offender designation. In HRO cases we will implement procedures and strategies, including working with SPD and Court Probation Services to maximize our ability to prosecute HRO cases and seek substantial jail sentences in most cases.

We have designed a short checklist to document the designation. Our challenge is to balance the need to include defendants who really need this designation, and their victims who need the additional attention, against the resource constraints that face our office. Prosecutor and advocate discussion will be critical in HRO designation. As with all domestic violence prosecutions, we hope to enhance victim safety, hold batterers accountable, punish crimes, and deter serious crimes involving domestic violence in our community. With this program, we hope to target resources to hold accountable the domestic violence offenders who are the most likely to re-offend, to offend seriously, and to risk the lives of their



## City of Seattle

victims and children. We want to provide the greatest possible resources to victims whose perpetrators fall into this category, and reduce the level of violence with which they live. We also hope to reduce recidivism and persuade serious and habitual batterers that there are serious and sure consequences for their conduct; we want them to end the violence, take advantage of resources or treatment, or be unable to continue to perpetrate the violence because they are in jail. We also want to determine through our efforts, whether this level of targeted resources can make a difference and give the victims of these perpetrators the opportunity to experience safety and support in a way that perhaps they have not been able to in the past.

### **Firearms:**

We have adopted a protocol for training prosecutors to seek removal of firearms from defendants.

### **Reviews and sentencing**

We have adopted and will be implementing new standardized probation revocation guidelines. Our goal is to have a standardized office policy for recommendations in cases of probation violations. We also are working on new disposition standards office-wide. Domestic violence recommendations will be part of this new protocol.

### **Bail Schedule**

We drafted a bail schedule guideline document to standardize the recommendations we make when filing cases. HRO defendants will always have a bail recommendation of \$15,000 or above.

### **No Contact Orders**

We will apply our policy of looking to the best interest of the victim in deciding whether to seek a no contact or to oppose lifting a no contact order. Risk assessment will play a major role in this case by case analysis.

### **Recent Developments**

Future working groups will flesh out policies involving trial policy, plea policy, and dismissal policy. The CAO will continue and finalize the work begun on drafting written decline policies and procedures as well as publishing filing and dispositional guidelines in domestic violence cases. In addition, it is important to work on our role with respect to community advocates and how our working together promotes victim support, safety and change. Also we want to work with SPD regarding follow-up and investigation issues, and with the King County Prosecutors Office about enhancing movement of cases between our offices. Additionally, the Seattle Municipal Court (and our office) has created a Domestic Violence Court, which will impact our policies and protocols as well. In developing and strengthening ties with community advocates, care will be given to honor and protect the confidentiality of the community advocacy role in working with victims of domestic violence.

**Cross Reference of Other Strategic Issues:** Advocacy and Victim Services, Firearms, Investigation, Sanctions, and Special Populations.



## City of Seattle

## Prosecution Plan

**Goal 1: Assure that prosecution serves to balance the best interest of victims and their children with the community's interest in consistently treating domestic violence as a serious crime**

Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
1. Foster relationship between Criminal Justice based and Community based advocates to facilitate responsiveness to victim's needs regardless of prosecution.	1. Convene a Criminal Justice/Community based advocacy roundtable discussion to determine how the two systems work to support victims regardless of whether prosecution occurs 2. Develop and adopt an agreement on roles. 3. Determine protocol for assuring that victims' needs are met. 4. Link with Advocacy and Victim Services plan component	Lead: KCCADV/SCADVU  Begin June 2005-ongoing.	Roundtable proceedings  Inter-local or interagency agreements  Protocol	Funding for KCCADV*
2. Increase coordination with police to support investigation and follow-up when prosecution serves the best interest of victims.	1. Convene a SCADVU/SPD forum to determine the best strategy to increase coordination, investigation and follow up procedure 2. Pilot strategy 3. Evaluate strategy 4. Evaluate "collaboration meetings" to determine if they are meeting determined needs	Lead: SCADVU and SPD  2005	Forum Implementation plan Evaluation report, including continued reporting of data on referrals, filings, and outcomes – distinguishing in-custody, from out-of-custody cases.	
Expected Outcomes				
1. Needs of victims are addressed whether or not prosecution occurs 2. Victim needs are taken into consideration in prosecution decisions 3. Roles of advocates in Criminal Justice system and community are clarified 4. Outcomes in Advocacy and Services plan segment are incorporated here by reference 5. Improved coordination between prosecution and police with respect to investigations occurs				

\*New Resource



## City of Seattle

## Prosecution Plan

**Goal 2: Seek prosecution outcomes that promote victim and community safety and that hold batterers accountable**

Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
1. Implement High Risk Offender (HRO) program	1. Determine the scope of HRO pilot 2. Implement HRO pilot project 3. Evaluate HRO pilot 4. Explore expansion of the pilot	Lead: SCADVU  2005	<ul style="list-style-type: none"> <li>Set of protocols</li> <li>Evaluation Report including impact on case outcomes and impact on victim and community safety</li> </ul>	<ul style="list-style-type: none"> <li>Funding for HRO*</li> <li>Training Budget</li> </ul>
2. Standardize sanction recommendations for original sentences and reviews	1. Increase coordination with Probation Department on sanctions 2. Review current sentencing recommendation guidelines 3. Identify appropriate guidelines 4. Sentencing recommendation workgroup formalize guidelines for approval by the City Attorney 5. Review current review-sanction guidelines 6. Identify appropriate review-sanction guidelines 7. SCADVU members formalize guidelines for approval by the City Attorney	Lead: PCS Division identified staff  End December 2005  Lead: SCADVU staff  End December 2005	<ul style="list-style-type: none"> <li>New or updated guidelines</li> </ul>	



Prosecution Plan				
Goal 2: Seek prosecution outcomes that promote victim and community safety and that hold batterers accountable				
Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
3. In cooperation with City partners, implement prosecution efforts to remove firearms from batterers.	1. Link with Firearms plan component	Lead: SPD, SCADVU, SMC June 2005 – April 2006	<ul style="list-style-type: none"> <li>See measures under Firearms</li> </ul>	
4. Design and implement a training program in partnership with others that supports the prosecution goals and philosophy of the City Attorney's Office.	1. Assess how current training practices support prosecution goals and philosophy 2. Develop a training plan 3. Implement the training plan	Lead: SCADVU and other identified PCS staff/other community partners  May 2005 – May 2006	<ul style="list-style-type: none"> <li>Evaluation of current training practices</li> <li>Training plan, which include identification of training resources identified</li> </ul>	
Expected Outcomes				
1. Increased successful prosecution of high risk batterers 2. Improved victim safety 3. Improved community safety 4. Sanctions more commensurate with crime and conduct 5. More firearms lawfully removed from the hands of batterers 6. Firearm related violence reduced 7. Trained City Attorney staff targeted to supporting prosecution goals and philosophy.				



## **City of Seattle Sanctions**

### **Introduction**

#### **Sanction Issues in Domestic Violence**

This sanction issues plan will focus on three areas:

1. Improving information judges have at the time of sentencing offenders with domestic violence crimes,
2. Improving compliance rates with domestic violence offenders, and
3. Alternatives to confinement.

There are no formal sentencing guidelines in DV cases, so sentencing is up to the discretion of the judges, unlike felony domestic violence crimes or DUI cases for which the sentence is legislatively mandated. Judges have a variety of sentencing options available to them, which includes type of sentence (e.g. straight jail time, suspended sentence, deferred sentence, Stipulated order of continuance, and dispositional continuance) and a variety of sentence obligations (e.g. chemical dependency evaluation and treatment as recommended, domestic violence treatment, mental health evaluation and treatment as recommended, parenting, etc.).

#### **Improving information Judges have at time of sentencing**

According to the “City of Seattle Summary Reports and Findings of Seattle’s Domestic Violence Assessment,” domestic violence is comprised of an ongoing pattern of behavior that often escalates over time. The specific crime that is reported to the criminal justice system may not in some cases reflect the severity of violence in the relationship. Therefore best practices recommend that criminal justice personnel make every effort to ensure that a complete history of the domestic violence between the parties is compiled. The history should include narrative information from the parties, in addition to a review of documented criminal history, as many domestic violence incidents are never reported to the police. Once thorough information on the DV-related history of the parties is compiled, staff should compile information on key risk factors including the batterer’s access to firearms, drug and alcohol use, homicide and suicide threats by the batterer, stalking, strangulation attempts, and child abuse. This information should be shared with all entities involved in intervening with the case, and should be incorporated into filing decisions by the prosecutor, sentencing decisions by the judge, and monitoring decisions by probation. While criminal justice interventions often put the majority of resources towards felony cases, in domestic violence it is essential to intervene effectively at the misdemeanor level, before assaults or homicides occur.”

Seattle Municipal Court judges generally impose sentences based on information provided in the police report, the criminal history, input from the prosecutor, victim advocate and defense attorney. In very complex cases, the Court orders a pre-sentence investigation. This investigation is completed by Probation Services Division and is a thorough history of the offender’s background, including; family of origin, educational background, employment history, marital history, DV risk factors, alcohol and drug history and mental health history. These reports include victim contacts and other collateral sources. They are resource intensive, take significant time to complete, thus the Court orders them on an infrequent basis. Formulating a process prior to sentencing to provide Judges with appropriate information may assist the Court in imposing the most suitable sentence for the DV offender.

#### **Improving compliance rates with domestic violence offenders**



## City of Seattle

Compliance rates in this plan focus on 1) Data and standards for compliance and 2) How availability of resources impacts the DV offender.

**Data and Standards:** According to the “City of Seattle Summary Reports and Findings of Seattle’s Domestic Violence Assessment” “currently no one within the court completes consistent data on DV cases, compliance or re-offense rates.” “The court should consider implementing a system to track processing and outcome of DV cases. This should be done in collaboration with the Seattle Police Department, the City Attorney’s Office and King County Department of Adult and Juvenile Detention, to ensure some consistency in data between agencies.” Further, “none of the City’s criminal justice agencies tracks recidivism of DV.”

Probation counselors note that it is difficult to measure overall compliance among DV offenders because there is no single standard for compliance among judges, or among community-based batterer treatment programs. For example, some offenders with multiple conditions of sentence (e.g. inpatient and intensive outpatient chemical dependency treatment and DV treatment) do not complete all conditions within the two-year probation period. If an offender had not met all the goals of DV treatment, the DV treatment provider would report to the probation counselor that the offender had not completed treatment, and the probation counselor would provide this information to the Court. In some cases, the Court might decide that the offender has done as much as possible in the two-year period, and determine that he has “substantially completed.” Examining the databases the Court utilizes to track DV offenders and look for ways to improve compliance information is an important step in data collection.

**Availability of resources and how it impacts the DV offender:** Many of the offenders that are processed through Seattle Municipal Court are indigent. They may have lost their job, and their home. They may have multiple life issues, including child support payments, low job skills, literacy issues and/or health concerns. The Court imposes additional conditions such as mental health treatment, alcohol/drug treatment, and domestic violence treatment. In order for the indigent offender to navigate the mental health, chemical dependency, and domestic violence systems, they often rely on the welfare system and medical coupons (if they are eligible). None of these programs are free. If a person is indigent, and is eligible for medical coupons, the medical coupons will pay for some of the treatment programs. However, the treatment programs using this type of payment typically have a limited number of slots. Waiting lists are not uncommon. If an offender is ordered to do domestic violence treatment, the DV treatment agency screens for mental health and chemical dependency issues. Typically the DV agency wants the offender to be stable with other issues (mental health and chemical dependency) before they will be able to start treatment.

Mental health treatment is not readily available in the community, unless the person fits priority treatment categories and indicates they want treatment. If an individual is denying the need for services, mental health agencies are not able to accept the person for services. Mental health funding is decreasing, and available services are expected to become more limited.

Chemical dependency treatment has similar issues. If an individual does not have money, there is a system (ADATSA), which can pay for the first 180 days of treatment. However, the referral system is somewhat complex, and the individual must indicate they want services. If they are in denial regarding their chemical dependency issues, the ADATSA system will turn them down for services. If a person is in need of inpatient chemical dependency treatment there is a fairly lengthy waiting list, unless they have private medical insurance.

One DV treatment agency in Seattle accepts medical coupons for payment. Their program has a wait list for services with this type of payment. Other domestic violence programs offer sliding fee programs. However, the intake fees and sliding fee scales are still unaffordable for many offenders.



## City of Seattle

To determine if there is a violation of the Court's order, the Court tries to determine if the violation is "willful" or "non-willful." If the non-compliance is considered to be non-willful because it is based on lack of economic resources, the Court generally does not impose sanctions on this type of offender. Additionally, the offender is unlikely to obtain needed services because of his/her inability to pay. These are obstacles which may impede the offender's compliance and determining ways the system can assist in eliminating these types of obstacles would be of benefit to the offender and the community.

### **Alternatives to Confinement**

The City provides a significant amount of money for jail costs on a yearly basis. An efficient and cost effective use of jail is required. Alternatives to confinement have begun to be used more widely (example: work crew). Other sanctions such as electronic home monitoring, community service have also been used at times. Some sanctions may be inappropriate for a domestic violence offender because there may be risks to the victim and the community. To ensure safety to the victim and the community and to hold the offender accountable, it is necessary to determine the best practices regarding alternatives to confinement. Additionally, it is important to determine if there are additional alternatives to confinement that are appropriate for DV offenders, yet unavailable in our community.

### **Recent development**

The Seattle Municipal Court believes domestic violence is a priority and in September 2004 instituted a Domestic Violence Court. The Domestic Violence Court utilizes an integrated case-processing model where one judge will preside over a case throughout all proceedings.

**Cross Reference of Other Strategic Issues:** Batterers' Intervention, Firearms, and Prosecution Plan.





### Sanctions Issues Strategy

**Goal : Develop a plan regarding information available to judges, effectiveness of sanctions, improved compliance and alternatives to confinement for domestic violence offenders.**

Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
1. Formulate a process prior to sentencing to enhance the information judges have for sentencing domestic violence offenders.	1. Determine best practice regarding information important to the court at time of sentencing. 2. Explore options regarding implementation. 3. Determine resource needs. 4. Write or update policies and procedures regarding the provision of information provided to the Court at sentencing. 5. Design and facilitate training for appropriate justice personnel on the new/updated policies and procedures regarding the provision of information provided to the Court at sentencing.	Lead: DSVPO/ designated lead  Lead: SMC/ designated lead  Begin January 2007; end July 2009	<ul style="list-style-type: none"> <li>▪ Report on best practices with recommendation for implementation.</li> <li>▪ Implementation plan</li> <li>▪ Written policy.</li> <li>▪ Training plan</li> <li>▪ Training and evaluation</li> </ul>	Planning & Development Specialist: .2 FTE*  Funds for consultant and training*

\*New Resource



### Sanctions Issues Strategy

**Goal: Develop a plan regarding information available to judges, effectiveness of sanctions, improved compliance and alternatives to confinement for domestic violence offenders.**

Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
2. Consider increasing the severity of sanctions for domestic violence through Municipal Court misdemeanor sentencing guidelines that give a clear message to offenders that DV is a dangerous and serious crime, and consider limiting the number of chances an offender has to comply with conditions of sentence,	1. Review current law and practice regarding sanctions and compare with other jurisdictions	Lead DSVPO, HSD, SMC, CAO  Begin April 2006; end July 2009	<ul style="list-style-type: none"> <li>A report of the review and findings.</li> </ul>	Planning & Development Specialist: .1 FTE FTE*/Municipal Court Strategic Advisor .1 FTE
3. Improve compliance rates for domestic violence offenders in Seattle's criminal justice system.	1. Examine databases (MCIS, Tracker) for ways to improve compliance information.  2. Study obstacles which may impede offender's compliance.  3. Determine ways the system can assist in eliminating obstacles.  4. Prioritize resources to address obstacles.	Lead SMC/ designated lead  Begin January 2007; end January 2008  Lead: DSVPO/ SMC, designated lead  Begin January 2007; end December 2009	<ul style="list-style-type: none"> <li>Database improvements.</li> <li>Report on obstacles.</li> <li>Recommendation plan.</li> <li>Benefit cost analysis.</li> </ul>	Planning & Development Specialist: .1 FTE*
4. Explore alternatives to confinement for domestic violence offenders and propose a plan for implementation.	1. Identify best practices regarding alternatives to confinement.  2. Develop recommendations.	Lead: DSVPO/ SMC, designated lead	<ul style="list-style-type: none"> <li>Gap analysis report with recommendations</li> </ul>	Planning & Development Specialist: .1 FTE*



## City of Seattle

## Sanctions Issues Strategy

**Goal: Develop a plan regarding information available to judges, effectiveness of sanctions, improved compliance and alternatives to confinement for domestic violence offenders.**

Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
	3. Determine next steps. 4. Identify resource needs for this process.	Begin January 2007; end July 2008	<ul style="list-style-type: none"> <li>Budget impact analysis</li> <li>Action plan</li> </ul>	
5a. Explore advocating at the state legislative level for extended supervision of DV cases, similar to current jurisdictional enhancements for DUI offenders. (See "Batterer Intervention Strategy, Objective 4).  5b. Consider pursuing state legislation to increase potential sentences.	1. Review state law and the results of the current practice to determine the need for extended supervision or revised sanctions 2. Identify and work with partners statewide to develop legislation and strategy. 3. Explore the legislative changes involved in the DUI enhancements in 2002 4. Draft an impact analysis of the effect of any proposed legislation on local courts and jurisdictions. 5. Finalize proposed legislation & legislative strategy 6. Implement legislative strategy	Lead DSVPO, HSD, SMC, CAO, OIR  Begin April 2006; end July 2009	<ul style="list-style-type: none"> <li>Notes from meetings</li> <li>Reports on analysis</li> <li>Inter-agency agreements with state association</li> <li>Legislation</li> <li>Legislative Strategy</li> <li>New Law</li> </ul>	Planning & Development Specialist: .1 FTE
Expected Outcomes				
1. Increase compliance by 5%. 2. Increase compliance information by 10%.				

\*New Resource



## City of Seattle Special Populations

### Introduction

Domestic violence respects no boundaries. People of any race, religion, occupation, education level, culture, socio-economic status, and sexual orientation can suffer, directly or indirectly, from violence within the home. Seniors, vulnerable adults and children often are the invisible victims of domestic violence. Discrete policies and procedures may be needed to appropriately respond to domestic violence in relationships of special populations.

### Seniors and Vulnerable Adults

In 2000 there were 84,971 seniors (persons 60 years and older), representing 15 percent of the total population in the City of Seattle. By 2025, as the baby boomers age, forecasters predict that people 60 and over will comprise about 27 percent of the City's population.<sup>4</sup>

Seniors face many challenges in living their lives, not the least of which is domestic violence. Research in this area is still in its infancy, but one definitive study, the National Elder Abuse Incidence Study of 1998, revealed that almost half a million people 60 years and older in this country were victims of domestic abuse in one year.<sup>5</sup> The vast majority of perpetrators of this violence (about two-thirds) were family members, specifically the victim's adult child or spouse.<sup>6</sup> The types of abuse perpetrated on the elderly include physical, sexual, emotional, financial exploitation and neglect. Self-neglect is also a serious problem that commonly affects the elderly, but is beyond the scope of this plan. People with disabilities are similarly, if not more, vulnerable. Studies show that they are five to ten times more likely than the general public to be the victims of violent crime.<sup>7</sup>

In most states in this country, abuse perpetrated against vulnerable adults (frail elders and adults with disabilities) is the subject of mandatory reporting requirements. Washington State law requires that mandatory reporters report suspected physical and sexual assault to the Department of Social and Health Services (DSHS) and to law enforcement. It further requires that mandatory reporters report probable neglect, abandonment, financial exploitation, and abuse to DSHS. For a variety of reasons, many mandatory reporters of vulnerable adult abuse do not comply with their mandatory reporting obligations. According to the National Elder Abuse Incidence Study cited above, only 16 percent of cases of abuse against the elderly in the U.S. are reported to the authorities.

These statistics make clear the need for raising public awareness and conducting specialized training of agencies and professionals who work with the elderly and disabled about the likelihood that this population will become victims of domestic violence, and about mandatory reporting requirements.

In recent years, the Seattle Police Department (SPD) has received an increasing number of referrals from Adult Protective Services (APS). In 2000, SPD had 177 APS referrals. In 2003, the referrals to SPD increased to 659. SPD detectives working these cases estimate that two thirds to three quarters of the vulnerable adult referrals they receive are domestic violence-related. During the last four years, the Seattle Police Department's workload for vulnerable adult abuse cases has almost tripled. Staff, however, has remained the same despite the rising numbers. Vulnerable adult abuse cases are among the most complex cases the police department investigates. The complexity of these cases is due to many factors, the most significant of which is the extreme reluctance on the part of many of these victims to participate in the

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<sup>4</sup> U.S. Census 2000, *Demographic Profiles* and Washington State Office of Finance and Management, *Allocation of Seattle Population by Age, 2010, 2020, 2025, and 2030*.

<sup>5</sup> National Center on Elder Abuse, "Executive Summary," *National Elder Abuse Incidence Study, Final Report*, 1998, p. 4.

<sup>6</sup> *Ibid*, p. 7.

<sup>7</sup> Dick Sobsey, 1996.



## City of Seattle

investigation and prosecution of the case. This reluctance stems from a number of causes: alienation from and unfamiliarity with the criminal justice system, fear of retaliation by the abuser, threats by the abuser, and fear that admitting to the abuse or conviction of the abuser may result in their being placed in a long-term care facility. In addition, many of these victims suffer from physical and mental disabilities, including dementia, which can impair their ability to testify.

### Children

Domestic violence also adversely affects children. Studies indicate that more than half of the female victims of domestic violence live in households with children less than 12 years.<sup>8</sup> Children who witness domestic violence lose a sense of safety, security and stability in their home life. Over time, the abuse and violence in the home can disrupt school performance. Youth who have grown up in violent homes are at risk of creating the types of abusive relationships they have witnessed. At the very least, children who witness violence in the home are at greater risk for behavioral and physical health problems, including depression, anxiety, suicide ideation or attempts, abuse of drugs and alcohol, and aggressiveness toward their peers.

The adverse impact of domestic violence on children who witness it can be mitigated by a number of protective factors, such as positive parental support by the non-offending parent. However, the harmful effects of witnessing domestic violence can be exacerbated by the violence they experience themselves. Some studies show that up to half of men who abuse their intimate partners also abuse their children.<sup>9</sup> Conversely, in about half of all child maltreatment cases, the mother is also abused. In Washington State, for example, there were 79,000 calls to Child Protective Services in 2002. Of these calls, 37,200 were accepted for investigation and about 40 percent had indications of domestic violence. Child Protective Services investigated 28,198 cases and 53 percent had domestic violence indications.<sup>10</sup>

Child abuse and domestic violence are inextricably linked within the family. But the various systems that respond to one or the other of these forms of violence do not always understand the dynamics of the other forms of violence or have the tools or capacity to work with each other to assure the well-being of victims. For example, many battered women who have not abused their children do not admit that they are victims of domestic violence because they are afraid that Child Protective Services may take their children away from them for exposing their children to violence or failing to protect their children. Child Protective Services needs to work closely with the criminal justice system and human services providers to assure that non-offending parents and their children have the resources they need to create safety and stability for themselves and to hold the offenders accountable.

During an on-scene investigation for a domestic violence case, children can be easily overlooked if they are not injured or directly involved in the incident. In Seattle, the patrol officers, the first responders on the scene, will assess the situation, provide information and referrals, and make an arrest, as appropriate. As a part of the Police Incident Report, officers are prompted to get the names of children and their dates of birth, as well as the names of those in whose custody the children are left. They also can indicate whether they have taken statements from children. If a child is injured, and is therefore considered a victim, more information is gathered, e.g. emotional state, excited utterances and nature of injuries. Other police agencies throughout the country, including the King County Sheriff's Office, are using or piloting other protocols to help officers gather more information on children at the scene, regardless of their status as witnesses or victims. Such protocols present an opportunity for officers to assure that children at a domestic violence scene are safe and can access the services they need.

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<sup>8</sup> U.S. Department of Justice, *Violence by Intimates: Analysis of Data on Crimes by Current or Former Spouses, Boyfriends and Girlfriends*, March 1998, reported in

<sup>9</sup> Strauss, Murray A., Gelles Richard J., and Smith, Christine, *Physical Violence in American Families: Risk Factors and Adaptations to Violence in 8,145 Families*, New Brunswick: Transaction Publishers, 1990.

<sup>10</sup> English, Diana, *Domestic Violence and Child Protective Services*, Domestic Violence Forum, May 2003 presentation. Report available through Washington State Office of Children's Administration.



### **People of Color/Immigrant and Refugees**

According to the 2000 Census, one-third of Seattleites are people of color. People of Asian descent are the largest group at about 13.0 percent of the total population. Next are Blacks, or African Americans, who made up 8.3 percent. Latinos comprise 5.3 percent of the total population.

Most women, who want help to stop the violence, face a set of common barriers in their quest for support and assistance with ending the violence. These barriers include: misconstrued religious norms that contribute to self-blame, social isolation and on-going abuse and violence; lack of economic resources for independent living; fear of losing children; and lack of information or knowledge about what service and systems supports are available. The problems created by these common barriers are further complicated for people from different cultures.

Immigration status and limited English proficiency create additional challenges for refugees and immigrants who are domestic violence victims:

- Undocumented immigrants may be unwilling to report the abuse or violence they experience because they fear they will be deported. They believe, because of misinformation provided by their abusing spouse, that they can gain permanent residency only through the cooperation of the spouse. They do not know that they have the right to petition for lawful permanent residency independently.
- Another reason immigrant victims may not report is fear that the spouse will be deported or jailed. If the victim is economically dependent upon the spouse, deportation or imprisonment will leave them without sufficient resources to care for themselves or their children.
- Lastly, limited English proficiency further isolates abused women and significantly impairs their ability to discover community resources and supports. Without access to interpreters and translated materials, the victims remain totally dependent upon their abuser, who, as indicated previously, may give misinformation or withhold information.

A responsive coordinated systems' approach to domestic violence must adequately address these barriers if it is to succeed in helping victims of domestic violence among refugees and immigrants with limited or non-existent English skills. RCW 2.43.010 states, "*It is hereby declared to be the policy of this state to secure the rights, constitutional or otherwise, of persons who, because of a non-English-speaking cultural background, are unable to readily understand or communicate in the English language, and who consequently cannot be fully protected in legal proceedings unless qualified interpreters are available to assist them.*" This law goes on to describe the appointment, qualifications and payment of interpreters in order to secure these rights. Seattle is committed to carrying out this policy to insure that these barriers to safety are broken down and that victims have access to information, and resources within the community to assist them in their quest for safety.

Domestic violence is a form of oppression, based on behaviors designed to keep victims in their place, intimidate victims, dismiss victims and/or control victims. People of color also experience other forms of oppression – racism and xenophobia – designed to control and disempower them. For example, relations between the police and African Americans and Native Americans, historically, have involved significant violence and oppression. Some immigrants have experienced or witnessed similar levels of violence with respect to the police in their homeland. The consequence is distrust and reticence to engage the criminal justice system to help end the violence in their family. Indeed, in many communities of color, the goal is simply to end the violence. It is not to imprison the abuser. We need to develop culturally competent alternatives that help women who want to both end the violence and keep their families together.

### **Recent developments**

- A regional Safe and Bright Futures two-year planning grant was recently awarded to develop services for children affected by domestic violence.
- A multilingual access institute to train language advocates on domestic violence took place in September 2004. At the writing of this plan the City awaits news of funding sought to continue this work.

September 2005



**City of Seattle**

- Federal funding will have also been sought to help support the annual Elder Abuse Conference for criminal justice professionals and others from around the region and the state receive specialized training.

**Cross Reference:** Investigations



## City of Seattle

## Special Populations

**Goal 1: Implement the appropriate best practice responses by the police to incidents involving children, seniors, vulnerable adults and LGBT persons at the scene of a domestic violence related incident, taking into account their possible status as witnesses, victims and defendants**

Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
Develop and implement a set of protocols for responding to incidents involving seniors, vulnerable adults, LGBT persons and documenting and tracking the presence of children, seniors and vulnerable adults at the scene of a DV related incident regardless of status as victim, witness or perpetrator.	<ol style="list-style-type: none"> <li>1. Establish an interagency workgroup to include SPD, CAO, human services, and public health, CPS, APS, SFD and KCPO.</li> <li>2. Determine protocols for responding, documentation and tracking.</li> <li>3. Conduct pilot of new protocols (train officers, and evaluate).</li> <li>4. Submit recommendation to DVPC for adoption.</li> <li>5. Implement any approved protocols citywide</li> <li>6. Codify as policy, train officers and fire and aid crews, include as component of annual performance evaluation, evaluate use and impact.</li> </ol>	<b>SPD/DSVPO</b> Begin April 2005  end March 2009	Workgroup established.  Set of protocols  Evaluation report: <ul style="list-style-type: none"> <li>▪ Officer use</li> <li>▪ Improved documentation of presence of children and vulnerable adults and referrals</li> <li>▪ Improved communications of risk to children and vulnerable adults to prosecution</li> <li>▪ Effectiveness of tracking mechanism</li> <li>▪ New policy</li> <li>▪ Trainings/Materials</li> <li>▪ Officer use</li> <li>▪ Improved documentation/communication of risks to children &amp; vulnerable adults to prosecution</li> </ul>	Planning & Development Specialist: .25 FTE*





City of Seattle

**Special Populations**

**Goal 1: Implement the appropriate best practice responses by the police to incidents involving children, seniors, vulnerable adults and LGBT persons at the scene of a domestic violence related incident, taking into account their possible status as witnesses, victims and defendants**

**Expected Outcomes**

1. Improve response and documentation re: incidents involving seniors, vulnerable adults, LGBT persons and the presence of children, seniors and vulnerable adults at the scene of a domestic violence incident by law enforcement by 20% by December 2010.



## City of Seattle

## Special Populations

**Goal 2: Improve collaboration across systems and agencies that work with children, seniors, LGBT persons, and vulnerable adults in order to create safety, promote well-being, and provide stability for children and their non-offending parent, seniors, and vulnerable adults.**

Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
1. Advocate for the implementation of policy and procedures needed to enhance responses within and among City, regional and State Departments that create safety, promote the well-being, and provide stability for children and their non-offender parent, seniors, LGBT persons, and vulnerable adults .	<p>Participate in the King County regional inter-agency team to develop protocols for working with children affected by domestic violence.</p> <p>Sponsor discussion with government agencies and other organizations that work with seniors and vulnerable adults about inter-agency collaboration. (Elder Abuse)</p> <p>Sponsor discussion with the LGBT community to identify best practices and training needs.</p>	<p>PHSKC/DSVPO</p> <p>Begin 2005; end 2009</p> <p>HSD (DSVPO/ADS)</p> <p>Begin June 2007; end 2009</p>	<p>Community meetings &amp; reports</p> <p>Annual report on regional protocol development</p>	<p>Planning &amp; Development Specialist: .25 FTE*</p>
2. Determine and strive to implement the best mechanism (one-stop shop/no wrong door) for responding to family violence in the City of Seattle.	<ol style="list-style-type: none"> <li>1. Research and evaluate models.</li> <li>2. Sponsor a series of community conversations.</li> <li>3. Submit recommended model to DVPC for approval.</li> <li>4. Establish an implementation team. <ul style="list-style-type: none"> <li>▪ Research funding options, including federal and foundation resources</li> <li>▪ Write and submit proposals for funding</li> <li>▪ Implement interagency agreements, as appropriate</li> <li>▪ Address operational issues</li> <li>▪ Develop and implement a</li> </ul> </li> </ol>	<p>DSVPO (with SPD/SCADVU/ KCCADV)</p> <p>Begin June 2007 End 2009</p>	<p>Report summarizing best practice, community feedback, and recommendations.</p> <ul style="list-style-type: none"> <li>▪ Proposals for funding</li> <li>▪ Interagency agreements</li> <li>▪ New policies</li> <li>▪ Operational coordinated model</li> <li>▪ Customer surveys</li> </ul>	<p>Planning &amp; Development Specialist: .25 FTE</p>



City of Seattle

Special Populations

**Goal 2: Improve collaboration across systems and agencies that work with children, seniors, LGBT persons, and vulnerable adults in order to create safety, promote well-being, and provide stability for children and their non-offending parent, seniors, and vulnerable adults.**

Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
	communications plan			
3. Explore the development of legislative action to require DSHS to implement a departmental policy to assist victims of domestic violence.	Identify partners who will assess the need and planning	DSVPO/OIR  Begin August 2005 – ongoing	Report on statewide policies  New policies (state-wide)	Planning & Development Specialist: .1 FTE

**Expected Outcomes**

1. Improved coordination among local, regional and state agencies.



## City of Seattle

Special Populations				
Goal 3: Enhance City, regional, state and federal funding, services and policies that benefit members of special populations who are victimized by domestic violence.				
Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
1. Implement, in cooperation with other human services campaigns, a community education campaign on domestic violence, including effects on children, seniors, LGBT persons, vulnerable adults, people of color, and refugees.	1. Assess current communications efforts in the community. 2. Work with communications specialist. 3. Develop a communications plan. 4. Implement the plan.	DSVPO  Begin January 2006; end December 2009	<ul style="list-style-type: none"> <li>Communications plan.</li> <li>News clippings, footage.</li> <li>Survey of community awareness and change in public opinion.</li> </ul>	Communications Consultant*  Planning & Development Specialist .25 FTE Funding for implementation*
2. Train mandatory reporters and other key community partners on such issues as warning signs, reporting requirements, liability, and community resources.  3. Consider advocating for state legislation to expand who is a mandatory reporter and to extend required background checks to records beyond Washington State.	1. Assess current efforts re: training, including for mandatory reporters. 2. Develop training plan and/or curricula. 3. Develop communications plan/strategies. 4. Incorporate communications strategies for training into the communications plan (see above). 5. Implement communications strategies. 6. Implement trainings. 7. Review mandatory reporting requirements with City agencies, stakeholders and regional governmental partners. 8. Develop legislative proposals as appropriate.	DSVPO  Begin January 2006; end December 2009	<ul style="list-style-type: none"> <li>Communications plan.</li> <li>Training plan.</li> <li>Trainings.</li> <li>Pre- and Post-tests assessing change in the knowledge of individuals.</li> <li>Surveys on practice and knowledge within systems.</li> <li>State Legislation</li> </ul>	Trainer: .4 FTE*
4. Continue training efforts on immigration and other culturally- and population-specific issues	1. Assess training conducted previously in SPD, SFD, CAO and SMC on special populations 2. Conduct additional training 3. Develop tools	DSVPO SPD, SMC, SFD CAO Begin January 2007 on going	<ul style="list-style-type: none"> <li>Training plan</li> <li>Pre and Post test assessing change in knowledge and attitudes</li> </ul>	Trainer .1 FTE



Special Populations				
Goal 3: Enhance City, regional, state and federal funding, services and policies that benefit members of special populations who are victimized by domestic violence.				
Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
4. Advocate for on-going, and increased, federal, state and regional financial support for such services as mental health, respite care, emergency housing options, interpreter services, and case management services to assist victims of domestic violence, including children, seniors, LGBT persons, vulnerable adults, people of color, and refugees and immigrants  5. Seek increased dedication of City resources for responding to domestic violence involving vulnerable adult and elder abuse, including financial exploitation	1. Document the need for services 2. Set priorities 3. Develop a legislative action agenda 4. Submit agenda to DVPC for approval. 5. If approved, add to city's legislative agenda 6. Develop & implement legislative strategy 7. Review City budgets for appropriate allocation of resources for vulnerable adult and elder abuse cases.	HSD/DSVPO/ OIR/DOF/ Mayor's Office/ City Council  Begin August 2005-ongoing	<ul style="list-style-type: none"> <li>▪ Needs assessment</li> <li>▪ Legislative action agenda</li> <li>▪ Change in public policy</li> <li>▪ Community resources maintained or increased</li> <li>▪ Appropriate allocation of city resources for responding to vulnerable adult and elder abuse.</li> </ul>	Planning & Development Specialist: .1 FTE
Expected Outcomes				
1. Establish a baseline measure for community awareness about domestic violence, including effects on children, seniors, and vulnerable adults.				



**City of Seattle  
Victim Defendants**

## **Introduction<sup>1</sup>**

Over the past two decades, numerous efforts have been made at the federal, state and local levels to increase safety and justice for domestic violence survivors and criminalize domestic violence. These efforts include domestic violence-related legislation, policies, protocols and training programs, and development of specialized domestic violence units within city and county governments. The King County region is nationally recognized for its many domestic violence-related programs and training projects. In Seattle and King County, Washington, community and criminal justice system-based advocates throughout the region have expressed concerns that an increasing number of domestic violence survivors are being arrested and charged with domestic violence-related crimes. Survivors in this situation are often referred to as “victim-defendants.”

The King County Coalition Against Domestic Violence’s publication, “Victim Defendants: An Emerging Issue in Responding to Domestic Violence in Seattle and the King County Region” (2003), which is also a part of Seattle’s DV Assessment, has contributed to national discussion on the topic of survivors who are also defendants and to growing research on survivors use violence against their battering partners. Some survivors use violence in self-defense, but are inappropriately arrested when the context of self-defense is either not recognized or documented by law enforcement, or who are incorrectly identified as primary aggressors. There are survivors who are arrested because of false accusations by their batterers. Other survivors initiate illegal acts of violence against their battering partners and are appropriately arrested. Those who are convicted are often sentenced to complete batterer intervention programs, which compromise safety and are not appropriate for survivors. There are many negative impacts of arrest and conviction that compromise the safety of survivors.

Recommendations made in the “Victim-Defendants: An Emerging Challenge in Responding to Domestic Violence in Seattle and King County” report take into consideration a review of promising practices compiled from national literature, conversations with researchers and practitioners from other cities and states around the country, as well as discussions with local criminal justice representatives and domestic violence advocates.

Key goals are to ensure that:

- Domestic violence survivors who act in self-defense or who are not primary aggressors are not arrested,
- Charges are not filed or charges are dropped for those who are arrested while acting in self-defense or who were not the primary aggressors in the incident,
- The batterers of those survivors who are defending themselves are held accountable for their threats and/or assaults that resulted in the need for self-defense.
- All victims have access to vigorous and appropriate defense counsel, and supportive community-based advocacy,
- Those who are convicted receive sentences that do not compromise their safety.
- Sanctions acknowledge survivor status and court recommendations consider survivor safety issues.

<sup>1</sup>This material was adapted from the King County Coalition Against Domestic Violence’s publication entitled “Victim-Defendants: An Emerging Issue in Responding to Domestic Violence in Seattle and the King County Region,” prepared by Meg Cramer, Merrill Cousin and Tara Hardy



## City of Seattle

Recommendations are highlighted below, with a focus on training for all disciplines involved.

1. Leadership should view victim defendants as a significant concern.  
Leaders and policy-makers need to lend their support to a collaborative effort to develop a coordinated response for victim defendant cases. This response would include comprehensive and ongoing training, consideration of arrest, charging and sentencing policies, and changes to existing data systems to improve information flow.
2. Law Enforcement—Law enforcement agencies should be able to give officers the time, training, resources, and support they need to correctly identify the primary aggressor in more complex cases. Practices should include carefully evaluating domestic violence incidents for self-defense, prioritizing accurate identification of the primary aggressor, refraining from making mutual arrests, and using interpreters whenever one or both of the parties do not speak English or have limited English skills.
3. Defense Attorneys—The defense bar should train staff, including investigators and social workers, where applicable, in the dynamics of domestic violence, and support them in acquiring tools for defending domestic violence survivors charged with domestic violence-related and other crimes.
4. Prosecutors—Prosecutors should make domestic violence training mandatory for all staff, including training on evaluating cases for self-defense, screening for victim defendants, evaluating the context of the violence and the history of the parties, and recommending appropriate sentences for survivors with consideration to safety.
5. System-Based Advocates—System based advocates, those advocates who work within the criminal justice system are not permitted to work with defendants in the current case, even if the defendant has been identified as the victim in a previous case. Their role is to advocate for the identified victim in the current criminal case. However, they assist domestic survivors charged with domestic violence-related crimes by flagging possible victim-defendant cases for the prosecutor and consulting with the prosecutor about potential safety concern.
6. Court, Probation and Corrections—Ideally, all judicial officers, court, probation and corrections staff should receive training in the dynamics of domestic violence, the tactics of batterers, and assessing the possibility of domestic violence exists in other types of cases. When the case of a domestic survivor is going to be prosecuted, judges should craft sentences that integrate the safety needs of the individual survivor. In some cases, judges may consider alternatives such as deferred sentences, in which the survivor agrees to complete the conditions of sentence, after which charges are dropped
7. Batterer Intervention Programs—As most court-mandated batterers claim to be “the victim” when they begin a batterer intervention program, staff may reasonably become desensitized to that claim and may have difficulty identifying court-referred domestic violence survivors. Therefore, batterer intervention programs should provide training for their staff in victim defendant issues. For those court-mandated clients who are domestic violence survivors and not batterers, staff should clearly document to the court, with the survivor’s permission, that the individual is not a candidate for batterer intervention, as she or he is a domestic violence survivor.
8. Community-Based Advocacy Programs—Community-based agencies should develop and integrate comprehensive responses to domestic violence survivors who are charged with domestic violence-related crimes. Some areas to address include:
  - Acknowledging in support group and individual work that many domestic violence survivors use violence. Engage in an open conversation about survivors’ use of violence, its impacts, and alternatives.
  - Providing information to survivors about the criminal justice system and the potential consequences of arrest.



## City of Seattle

- Increasing opportunities for early contact with victim-defendants through relationships with local law enforcement and the jail.
- Collaborating with defense attorneys on the defense of domestic violence survivors.

In addition, the domestic violence advocacy community should develop some consensus on what mandatory conditions of sentence are appropriate for domestic violence survivors who have committed domestic violence related crimes. Once this consensus is reached, community leaders should work with prosecutors, defenders, and the court to ensure that domestic violence survivors are being sentenced appropriately.

The following reflects recent accomplishments in the work on this issue; many of these activities were guided by the victim defendant assessment report:

- Training for criminal justice practitioners by Gael Strack on identifying primary aggressor (Dec. 2002).
- A four part training series for advocates on working with women who use violence (July and August 2004).
- Training for defenders by a defense law professor from Tulane Law School on victim defendants (September, '04).
- Brochure for jail personnel to disseminate to women arrested for domestic violence.
- Recommendations to judges regarding consequences and recommendations in sentencing survivors contained in a paper, "Some Issues to Consider when Domestic Violence Survivors are Charged with Domestic Violence Related Crimes."
- Presentations about the report findings and recommendations to numerous criminal justice and advocate networking agencies.
- SPD mandatory DV best practice training with primary aggressor (victim defendant) module.
- Participation by the Seattle City Attorney's Office in the National Prosecution focus group sponsored by the National Clearinghouse for Battered Women.
- Seattle Municipal Court and City Attorney's Office established a working relationship with Giving Real Options to Women (GROW), an organization educating women incarcerated at King County jail; women most likely are jailed for charges other than domestic violence, but their history points to domestic violence related situations.

**Cross Reference of Other Strategic Issues:** Batterer's Intervention, Sanctions, Investigations, and Advocacy and Victim Services





City of Seattle

Victim Defendants Strategy				
Goal: Develop victim defendant protocols and training across systems that address screening prosecution cases, community referrals, and effective dispositions.				
Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
1. Develop a tool to enhance prosecution case screening of potential victim defendants and increase effectiveness of negotiations on cases involving survivors.	<ol style="list-style-type: none"> <li>1. Convene a work group involving prosecution advocates and probation staff to develop tool.</li> <li>2. Draft language and procedures for use.</li> <li>3. Adopt and train on use of tool.</li> <li>4. Evaluate a sample of cases alleging/involving women's use of violence.</li> </ol>	<p>Lead: SCADVU</p> <p>Lead: DSVPO</p> <p>Begin January 2006; end December 2008</p>	<ul style="list-style-type: none"> <li>▪ Screening tool.</li> <li>▪ Report evaluation data on cases of women who use violence.</li> </ul>	<p>Planning and Development Specialist: .25 FTE</p> <p>Training budget for City agencies.</p>
2. Enhance linkages for victim defendants to community domestic violence services.	<ol style="list-style-type: none"> <li>1. Determine, create, and provide access to needed services for survivors</li> <li>2. Link to Advocacy Service Plan (see Advocacy and Victim Services Strategy 2005 – 2009) for areas pertaining to community service linkages</li> <li>3. Develop protocol for referral for systems- and community-based advocacy on victim/defendant issues. (See prosecution Plan Goal 1, Obj.1)</li> </ol>	<p>Lead: SCADVU SPD /Staffing to be determined</p> <p>Begin June 2006 end June 2007</p>	<ul style="list-style-type: none"> <li>▪ Community and in-system advocate meeting agendas and minutes.</li> <li>▪ Protocol</li> </ul>	

\*New Resource



## City of Seattle

## Victim Defendants Strategy

**Goal: Develop victim defendant protocols and training across systems that address screening prosecution cases, community referrals, and effective dispositions.**

Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
3. Enhance advocacy and defender linkages for victim defendants.	<ol style="list-style-type: none"> <li>1. Determine necessary training for defense bar to understand victim defendant issues.</li> <li>2. Establish ways for defense and prosecution staff to communicate about case disposition.</li> <li>3. Formulate mechanism for establishing working relationships between defense and community based advocates.</li> </ol>	<p>Lead: DSVPO</p> <p>Begin January 2006; end December 2008</p>	<ul style="list-style-type: none"> <li>▪ Referral list community advocates specially trained on women's use of violence.</li> <li>▪ Defense communications protocol.</li> </ul>	Planning & Development Specialist: .25 FTE*
4. Enhance probation screening and referral policies for court recommendations and for service linkages.	<ol style="list-style-type: none"> <li>1. Fashion responsible court recommendations and protocol for screening and referrals with survivor/defendant safety need prioritized.</li> <li>2. Develop tool</li> <li>3. Screen for victim defendant status.</li> <li>4. Establish referral policies and procedures with community advocacy agencies</li> <li>5. Implement Policies and Procedures.</li> </ol>	<p>Leads: SMC &amp; SCADVU</p> <p>Begin March 2005; end March 2006</p>	<ul style="list-style-type: none"> <li>▪ Screening tool.</li> <li>▪ Victim defendant protocol on court recommendations.</li> <li>▪ Report on court sentences for victims who use violence.</li> <li>▪ Referral list to victim defendant trained community advocates.</li> <li>▪ Referral policies and procedures</li> </ul>	
5. Design training to accommodate	1. Establish training needs on victim	DSVPO	▪ Training plan.	Trainer: .25 FTE*



City of Seattle

Victim Defendants Strategy

**Goal: Develop victim defendant protocols and training across systems that address screening prosecution cases, community referrals, and effective dispositions.**

Objectives	Procedural Steps	Responsible Parties/ Milestones	Intermediate Measures	Resources
specific needs of each criminal justice system service provider.	defendants with emphasis on issues of relevance applicable to special populations including sexual minorities. 2. Repeat training as needed.	Begin 2008; end 2009	<ul style="list-style-type: none"> <li>Training agendas and evaluations.</li> </ul>	
1. Increased recognition of victim defendants. 2. Decrease in survivors being prosecuted. 3. Increased dialogue between defenders and advocacy community and between community and in-system advocates. 4. More appropriate court recommendations that consider safety issues for survivors. 5. Improved criminal justice practitioners' skills in responding to victim defendants.				



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September 2005



City of Seattle

**2005-2009  
STRATEGIC PLAN  
ON  
SEATTLE'S CRIMINAL JUSTICE RESPONSE  
TO  
DOMESTIC VIOLENCE**

**APPENDICES**



**TABLE A: Backbone of the DV Strategic Plan  
April 2005**

Begin	End					Objective
	'05	'06	'07	'08	'09	
2005 2005 2005	×	×	On-going			<b>I. <u>VICTIM ADVOCACY:</u></b> 1. Clarify the role of the victim advocate 2. Create & implement a victim safety inventory tool 3. Build & sustain a collaborative advocacy service plan across CJS
2005 2006 2006 2006	×	×			×	<b>II. <u>BATTERER INTERVENTION</u></b> 1. Analyze current practice and the results of this practice 2. Develop city policy on batterer intervention as a court sanction 3. Develop appropriate business practices to foster successful implementation of the policy 4. Explore advocating at the State legislative level for DV extensive supervision, similar to jurisdictional enhancements for DUI offenders
2005 2005 2005 2005 2005 2005	×	×			×	<b>III. <u>FIREARMS</u></b> A. Focus on Criminal DV Conviction 1. Write policies to enhance the removal of firearms as prescribed by law 2. Design and write procedures and forms to enhance firearm removal. 3. Use existing database systems to promote exchange of firearm information and to coordinate across systems 4. Design and facilitate training across the system 5. Create a communications plan 6. Explore legislative change at the State level that will empower local law enforcement officials to confiscate firearms, consistent with federal law.



## City of Seattle

**TABLE A: Backbone of the DV Strategic Plan**  
**April 2005**

						(18 U.S.C. & 19 U.S.C. Lautenberg Amendment)
2007				×		B. Focus on DV Civil Protection Orders
2008				×	×	1. Develop policies to enhance the removal of firearms from those prohibited from possessing them due to DV civil protection orders
2009						2. Develop and implement a set of protocols for handling firearm removal.
						3. Develop procedures and conduct trainings for the appropriate staff
2007				×		C. Focus on Regional Efforts
						1. Explore with King County the implementation of a community education campaign regarding the linkages between firearms and domestic violence.
2007					×	2. Train key community partners on such issues as risks regarding firearm possession and domestic violence, relevant laws, protocols for surrender, etc.
2005		×				<u>INVESTIGATIONS</u>
2005	On-going					A. Domestic Violence Unit
2005		×				1. Adopt as policy relevant law enforcement portions from the national best practices tool kit
						2. Continue to provide on-going training to front-line officers and supervisors to produce thorough investigative follow-through
						3. Comply with Washington State SSB 6161 regarding the establishment of policies, procedures and training to address officer-involved DV cases



## City of Seattle

**TABLE A: Backbone of the DV Strategic Plan**  
**April 2005**

2007					×	4. Implement an improved report writing and accountability system
2007					×	5. Improve arrest rate in DV cases when the suspect is “gone on arrival”
2007				×		6. Evaluate misdemeanor follow-up needs
2007				×		B. Management Oversight of Patrol
2007					On-going	1. Evaluate all domestic violence incidents to enhance alignment with best practices
						2. Conduct quarterly audits of domestic violence reports
2005		On-going				<u>PROSECUTION PLAN</u>
2005	×					A. Serving the Best Interest of Victims
						1. Foster relationship between Criminal Justice-based and Community-based advocates
						2. Increase coordination with police to support investigation and follow-up
2005	×					B. Seeking Outcomes that Promote Victim and Community Safety and Hold Batterers Accountable
2005	×					1. Implement High Risk Offender program
2005	×					2. Standardize sanction recommendations for original sentences and reviews
2005		×				3. Implement prosecution efforts to remove firearms from batterers
2005		×				4. Design and implement a training program that supports the prosecution goals and philosophy of the City Attorney’s Office
2007					×	<u>SANCTIONS</u>
						1. Formulate a process prior to sentencing to enhance the information judges have for sentencing DV offenders





## City of Seattle

**TABLE A: Backbone of the DV Strategic Plan**  
**April 2005**

2007					×	2. Improve compliance rates for DV offenders
2007				×		3. Explore alternatives to confinement for DV offenders and propose a plan for implementation
2006					×	4. Explore advocating at the State legislative level for DV extensive supervision, similar to jurisdictional enhancements for DUI offenders
<b><u>SPECIAL POPULATIONS</u></b>						
2005					×	<b>A. Police Response at the Scene of a DV-Related Incident</b> 1. Develop and implement protocols for documenting and tracking the presence of children and others at the scene
2005					×	<b>B. Improving Collaboration across systems and Agencies</b> 1. Advocate for the implementation of policies and procedures needed to enhance responses within and among City, regional and State departments that create safety
2007					×	2. Determine and strive to implement the best mechanism (one-stop/no-wrong door) for responding to family violence.
2005					×	3. Explore the development of legislative action to require DSHS to implement a departmental policy to assist victims of domestic violence.
2006					×	<b>C. Enhanced Regional, State and Federal Funding, Services and Policies</b> 1. Implement, in cooperation with other human services campaigns, a community education campaign on domestic violence
2006					×	2. Train mandatory reporters and key community partners on key issues 3. Continue training efforts on immigration



**TABLE A: Backbone of the DV Strategic Plan  
April 2005**

2007					×	and other culturally- and population-specific issues
2005					×	4. Advocate for on-going, and increased, federal, state and regional support for critical services.
2006				×		<u>VICTIM DEFENDANTS:</u> 1. Develop a tool to enhance prosecution case screening of potential victim defendants and increase effectiveness of negotiations on cases involving survivors 2. Enhance linkages for victim defendants to community domestic violence services 3. Enhance advocacy and defender linkages for victim defendants 4. Enhance probation screening and referral policies for court recommendations and service linkages 5. Design training to accommodate specific needs of each criminal justice system service provider with emphasis on special populations and sexual minorities
2006			×			
2006				×		
2005		×				
2008					×	



City of Seattle

**TABLE B:  
CITY OF SEATTLE DOMESTIC VIOLENCE STRATEGIC PLAN  
COMMUNITY CONVERSATIONS: PROCESS & SUMMARY OF RESULTS**

After the Domestic Violence Prevention Council approved the discussion draft of the plan at its December 2004 meeting, conversations with community partners and stakeholders began in earnest in early January of 2005. Staff made the plan available online. In addition, working closely with the King County Coalition Against Domestic Violence (KCCADV), 22 different community groups and programs were contacted to see if they wanted to participate in a briefing and conversation about the plan and/or submit comments. Six groups chose to respond electronically. Domestic & Sexual Violence Prevention Office and/or KCCADV staff met with another 15 groups, including:

- **Batterer's Intervention Providers**
- **Child Protective Services Domestic Violence Collaboration Group** (comprised of King County Public Health and Child Protective Services of the Department of Social and Health Services [DSHS])
- **City of Seattle's Criminal Justice Collaboration Group** (comprised of City Attorney advocate and prosecution staff, probation and clerical staff, and the Gender Crimes Unit of the Seattle Police Department)
- **Court and Community Advocates** (under the auspices of the VAWA STOP grant)
- **Elder Abuse Council** (comprised of professionals from the Attorney General's Office, the Crisis Clinic, DSHS Adult Protective Services and Residential Care Services, DSHS Senior Services, the King County Sheriff's Office, the King County Prosecuting Attorney's Office, the Seattle Human Services Department's Aging and Disability Services, Seattle Police Department, Virginia Mason Clinic and the University of Washington's School of Nursing)
- **King County Sheriff's Office Domestic Violence Unit**
- **King County Coalition Against Domestic Violence**
- **King County Domestic Violence Prevention Council's Coordinating Committee** (comprised of King County Prosecuting Attorneys and Advocates, the King County Department of Judicial Administration's DV Coordinator, the King County Sheriff's Office, the King County Women's Program and a representative of the King County Work First Program, King County Department of Public Health)



City of Seattle

**TABLE B:  
CITY OF SEATTLE DOMESTIC VIOLENCE STRATEGIC PLAN  
COMMUNITY CONVERSATIONS: PROCESS & SUMMARY OF RESULTS**

- **Public Defense Attorneys** (from 4 different agencies and a representative of the Washington Criminal Defense Lawyers and the Director of the King County Office of Public Defense)
- **Strategic Management Team of Seattle's Human Services Department**
- **Seattle Women's Commission**
- **Four different groups of survivors of domestic violence**

The community overall was very impressed by the magnitude and aggressive nature of this plan and applauded the City for its efforts to end domestic violence in our community. Each group provided excellent feedback for consideration by the Assessment Committee. While many of the observations tended to focus on the implementation phase, others have resulted in modifications to the plan. What follows is a summary of some of the key comments and the impact on the strategic plan.

	<b>MAJOR ISSUES IDENTIFIED</b>	<b>IMPLICATIONS FOR PLAN</b>
<b>1.</b>	<b><u>Advocacy:</u></b> Several professionals' related liability and credibility concerns over the use of the term " <b>Risk Assessment Tool</b> " which is a clinical term used to describe a scientific, empirically studied mechanism for garnering lethality data for domestic violence situations within the context of a clinical environment.	<b><u>Change:</u></b> The CAO will refer to the tool used by their advocates as a " <b>victim safety inventory</b> ".
<b>2.</b>	<b><u>Batterer Intervention:</u></b> Challenges exist for probation officers about determining 'completion.' (as noted on page 28 of the text portion of the plan) This can be addressed by being sure probation has access to WAC 388-60. Sections WAC 388-60-0255 and 388-60-0265 clearly delineate the completion requirements. WAC compliance by all certified programs is mandatory.	<b><u>Change:</u></b> Staff rewrote the section referenced to make the issues clearer.



City of Seattle

**TABLE B:  
CITY OF SEATTLE DOMESTIC VIOLENCE STRATEGIC PLAN  
COMMUNITY CONVERSATIONS: PROCESS & SUMMARY OF RESULTS**

3.	<b><u>Firearms Strategy:</u></b> Federal law already prohibits a respondent in a DV protection order or anyone convicted of a misdemeanor or felony DV offense from legally acquiring or possessing a firearm. State law should be drafted to replicate or enhance federal law which would empower local law enforcement to enforce this provision and not depend on the will of federal prosecutors and law enforcement to act.	<b><u>Change:</u></b> An objective is added to explore legislative change at the state level that will empower SPD and other local law enforcement officials to enforce state law that reflects federal law in this regard.
4.	<b><u>Prosecution Plan:</u></b> The CAO should develop and publish filing and dispositional “guidelines” on DV cases.	<b><u>Change:</u></b> The CAO is currently in the process of developing and will publish filing and dispositional “guidelines” or “standards”. This will be noted in the “Recent Developments” section of the prosecution plan.
5.	<b><u>Prosecution Plan:</u></b> The CAO should develop a “written decline policy” and implement it on all DV cases. This documentation is especially helpful for future prosecutions including homicides and other felony DV cases.	<b><u>Change:</u></b> The CAO is currently in the process of developing and will publish its written decline policy and it will be implemented in all DV cases. This will be noted in the “Recent Developments” section of the Prosecution Plan.
6.	<b><u>Special Populations:</u></b> Given that Seattle Fire and aid (EMT) are vital components to any response, they need to be included in any training on CPS/APS cases.	<b><u>Change:</u></b> Seattle Fire Department and Aid will be added to the “procedural steps” of the groups identified in the “Impact and Readiness Tables” of the plan.



City of Seattle

**TABLE B:  
CITY OF SEATTLE DOMESTIC VIOLENCE STRATEGIC PLAN  
COMMUNITY CONVERSATIONS: PROCESS & SUMMARY OF RESULTS**

7.	<b><u>Special Populations:</u></b> SPD officers should be trained on issues regarding their role in dealing with immigration issues. All officers should receive training on the SPD policy to NOT inquire about immigration status or enforce immigration law. Officers can also be trained in what resources are available for immigrant and refugee victims (including assistance with immigration status), and on what kind of documentation they can provide that will be helpful to victims petitioning for legal status under VAWA.	<b><u>Change:</u></b> Added a new objective under goal #3 - Continue training efforts on immigration and other culturally- or population-specific issues.
8.	<b><u>Victim Defendants:</u></b> Special Populations has a significant intersection with Victim Defendant issues within the specific populations of gay, lesbian, bisexual and trans-gendered individuals. Specialized training is needed for police officers, prosecutors and judges in identifying primary aggressors within these populations.	<b><u>Change:</u></b> Specialized training is ongoing within SPD and CAO regarding victim defendants and understanding the gay, lesbian, bisexual and trans-gendered population's special concerns and issues. New language is added to Objective 5, procedural step #1 "with emphasis on issues of relevance applicable to special populations, including sexual minorities."
9.	<b><u>Victim Defendants:</u></b> Why wait until the end of the case to deal with the wrong person being arrested. This should not be a dispositional issue. It is an issue of investigation by the police and awareness especially in non-traditional populations that don't fit gender stereotypes of the man vs. woman assault.	<b><u>Change:</u></b> Specialized training is ongoing within SPD and CAO regarding victim defendants, and will continue. New language is added to Objective 5, procedural step #1 "with emphasis on issues of relevance applicable to special populations".



City of Seattle

**TABLE B:**  
**CITY OF SEATTLE DOMESTIC VIOLENCE STRATEGIC PLAN**  
**COMMUNITY CONVERSATIONS: PROCESS & SUMMARY OF RESULTS**

10.	<b><u>Miscellaneous:</u></b> What about prevention, civil court system, family court processes, children.	<b><u>Change:</u></b> While most of these issues are beyond the scope of this plan, which is primarily about the criminal justice system, the introduction to the plan has been modified to reference these and other strategic areas the city must address to end domestic violence. The DVPC will take this up in the “Call to Action” work item.
11.	<b><u>Operations:</u></b> The role of the DVPC with respect to plan implementation is not defined.	<b><u>Change:</u></b> The following sentence has been added to the plan in the Introduction section: “The City’s Domestic Violence Prevention Council, as an inter-departmental body of city leaders responsible for city policy and programs, provides the leadership, on-going oversight, and coordination in the City’s efforts to eliminate domestic violence.”
12.	<b><u>Operations:</u></b> Need a mechanism for reporting the status of Plan’s effectiveness and making adjustments in plan; who is responsible for plan implementation.	<b><u>Change:</u></b> The following as been added to the plan in the “Next Steps” section: “Even upon adoption by DVPC and the City Council, this plan will remain a living document. The DVPC’s Criminal Justice Committee will oversee its implementation and facilitate the development of an update for 2007 to address any new or emerging issues and inform our stakeholders and interested parties of progress.”
13.	<b><u>Special Populations:</u></b> The courts need to develop policies that would defer No Contact Orders and protection orders to Juvenile Court engaged in Dependency Actions when children are either the victim or defendant in these criminal cases. Leave the issues of contact with kids to	<b><u>Referral:</u></b> This suggestion will be forwarded to the Seattle Municipal Court for their consideration and the development of a policy from the bench. The Assessment Committee is in concurrence with this recommendation.



City of Seattle

**TABLE B:**  
**CITY OF SEATTLE DOMESTIC VIOLENCE STRATEGIC PLAN**  
**COMMUNITY CONVERSATIONS: PROCESS & SUMMARY OF RESULTS**

	the court more capable of addressing these concerns.	
14.	<b><u>Advocacy: Collaborative Advocacy:</u></b> While advocates want to strengthen collaboration between systems-based advocates (City) and community-based advocates, they want to ensure that any collaboration that occurs take into account the need for a “firewall” around community based advocates in order to protect the confidential nature of these advocates’ roles.	<b><u>Implementation Issue:</u></b> Efforts are currently underway to implement a plan to increase opportunities for strengthened collaboration between these two diverse and distinct groups of advocates. The goal is to increase effective service to victims. Protective measures will continue to guard the confidential nature of the work of community-based advocates in these efforts.
15.	<b><u>Batterer Intervention:</u></b> Enforcement of the WAC (388-60) governing BI programs is currently not funded (1.5 FTE for the entire State to certify programs and follow up on complaints) in this State. The City of Seattle should form its own “enforcement” body that would enforce the State codes and refuse to use programs that fail to meet them. In addition, the city should develop a “quality assurance panel” comprised of representatives from all the spheres of the coordinated response to monitor compliance of batterer intervention programs.	<b><u>Implementation Issue:</u></b> The evaluation may reveal these efforts as consistent with a “best practices model” and may result in a new business practice within Seattle’s system.
16.	<b><u>Batterer Intervention :</u></b> How the City defines “success” of BI programs needs to be carefully considered. Qualitative measurements must be the standard of measuring program effectiveness, not quantitative. Cessation of violent and controlling behavior is an outcome to be measured. In measuring success the City should look at what the victims or current partners (those	<b><u>Implementation Issue:</u></b> All care and consideration will be taken by the City in developing the definition of “success” within the context of the BI programs themselves as well as the standards of success within the criminal justice system.





City of Seattle

**TABLE B:  
CITY OF SEATTLE DOMESTIC VIOLENCE STRATEGIC PLAN  
COMMUNITY CONVERSATIONS: PROCESS & SUMMARY OF RESULTS**

	primary partners still involved in some capacity in a batterer's life) are saying a year after treatment about the perpetrator's behavior in regard to the efficacy of treatment.	
17.	<b><u>Batterer Intervention:</u></b> When considering the use of BI as a sanction the City should consider the models of other "problem solving courts" such as King County's Drug Court which incorporates a "wrap-around services" model to identify and address each of the defendant/client's specific and unique needs/challenges or potential impediments to success. These concerns range from financial challenges (ability to pay for treatment) to multiple diagnosis (chemical dependency, mental health disorders, etc.) to cultural and linguistic barriers to successful entry and completion of the various programs. The "one size fits all" approach to BI is ineffective and a set-up for failure for many individuals.	<b><u>Implementation Issue:</u></b> The evaluation identified in the plan may lead to consideration of comparative models, which may result in a change in business practice within Seattle's system.
18.	<b><u>Prosecution Plan:</u></b> Standardized and published sentencing guidelines could have a negative impact on victims of DV in such cases as immigrants, elder and vulnerable adult cases, etc. since some of these cases require a specialized approach to minimize harm to the victims.	<b><u>Implementation Issue:</u></b> The CAO takes very seriously the negative impact to the extra vulnerable victims in its caseload and would therefore keep these sentencing standards only as guidelines, not inflexible protocols that must be enforced.
19.	<b><u>Special Populations:</u></b> Is the Community Education	<b><u>Implementation Issue:</u></b> The plan identifies seniors and vulnerable



City of Seattle

**TABLE B:**  
**CITY OF SEATTLE DOMESTIC VIOLENCE STRATEGIC PLAN**  
**COMMUNITY CONVERSATIONS: PROCESS & SUMMARY OF RESULTS**

	Campaign inclusive of elders and vulnerable adults? There needs to be specialized focus on this group when doing community education.	adults among the populations affected by DV and subjects of the campaign. The unique concerns of each of the populations noted will be taken into account when crafting the campaign.
20.	<b><u>Vision Statement:</u></b> <i>“Seattle will one day be a community where domestic violence <u>does not exist</u>. It will be a place...”</i> A group noted that it would be more realistic, attainable, more credible and potentially more attractive to potential funding sources if the statement were modified to read, <i>“Seattle will one day be a community where domestic violence <u>is no longer tolerated</u>...”</i>	<b><u>No Change.</u></b> After much discussion with many other groups, including the HSD Strategic Management Team and the Assessment Committee of the Domestic Violence Prevention Council, the current statement meets the definition of a more measurable and definable, albeit aggressive, vision statement.
21.	<b><u>Advocacy: Roles of the Advocate:</u></b> Reiterated, over several meetings, was the concern that advocates primary role remain focused on victim safety and system accountability. Concerns ranged from advocates getting caught up in investigatory and prosecutorial duties to advocates needing professional training in their subject matter.	<b><u>No Change.</u></b> The Plan underscores the commitment within SPD and CAO to keep the focus of the advocates on victim safety and system accountability. Within CAO, they will not be determining whether prosecution is appropriate. They gather information from victims, and advise attorneys about the level of risk faced by the victim and express their opinion about what steps would be in the best interest of the victim. The advocates with their extensive experience are uniquely qualified for this role. Attorneys continue to make filing decisions.
22.	<b><u>Batterer Intervention:</u></b> Concerns exist over the	<b><u>No Change:</u></b> The strategic plan specifically states in its goal that



**TABLE B:**  
**CITY OF SEATTLE DOMESTIC VIOLENCE STRATEGIC PLAN**  
**COMMUNITY CONVERSATIONS: PROCESS & SUMMARY OF RESULTS**

	evaluation that will be conducted by the City to determine the efficacy and use of BI treatment as a sanction within Seattle's Coordinated Community response system. Concerns focused on the efficacy and validity of this evaluation given the existence of other research available as well as concern over the narrow and ineffective evaluation of the treatment modality and providers outside the context of the Coordinated Community Response system.	this evaluation will focus on the unique application of Batterer's Intervention within Seattle's Coordinated Community Response and the use of batterer's treatment by those systems for a specific determination of how it is working as a sanction within Seattle's system. Current national research does not specifically address the Seattle system. Care will be taken to look at the interactions of the various agencies' (courts, probation and prosecution) use and referral to BI programs as a sanction within Seattle's Criminal Justice System.
23.	<b><u>Batterer Intervention:</u></b> Batterer intervention professionals should be listed under "Responsible Parties/Milestones" in the Objectives of the "Impact and Readiness Tables".	<b><u>No Change:</u></b> "Responsible Parties" are city departments with authority and responsibility to implement City policy and programs. Community stakeholders will have opportunity to participate with implementation as members of DVPC committees.
24.	<b><u>Investigations:</u></b> Primary suggestions related to the incorporation of patrol and patrol command staff in policy and planning decisions on DV protocols. Mechanisms for positive and (limited) negative feedback to patrol on performance and investigation quality need to be instituted.	<b><u>No Change:</u></b> These measures are already in existence within SPD.
25.	<b><u>Investigations:</u></b> Command staff needs to distinguish the time allotment for investigation of DV offenses from	<b><u>No Change:</u></b> Patrol staff is given the time necessary to report effectively on DV crimes.



City of Seattle

**TABLE B:**  
**CITY OF SEATTLE DOMESTIC VIOLENCE STRATEGIC PLAN**  
**COMMUNITY CONVERSATIONS: PROCESS & SUMMARY OF RESULTS**

	other less intensive cases. Current practices accommodate this with DUI investigations and should be allowed for effective DV investigations.	
26.	<b><u>Investigations:</u></b> SPD should join regional efforts to standardize their DV Supplemental form with other jurisdictions.	<b><u>No Change:</u></b> Recent changes to the DV Supplemental form have already been adopted and sent to the printer. In the future, the SPD's IT system will become a "paperless" system eliminating the use of the DV Supplemental form at that time. This system, however, will provide more capacity for reporting on critical issues.
27.	<b><u>Investigations:</u></b> The DV Fugitive Apprehension Team is not mentioned in the plan and concerns about staffing.	<b><u>No Change:</u></b> The Assessment acknowledges the fact that SPD disbanded the team in 2002 and assigned DV warrant service coordination to a detective in the DV Unit. It recommends the results of the DV warrant service be reported to the DVPC. Regarding staffing, the staffer responsible for SPD's fugitive warrant efforts is not the lead staff on firearms. Collaboration occurs to assure effective development and implementation of firearm policies and procedures with respect to warrants.
28.	<b><u>Prosecution Plan:</u></b> Confusion and concern exist over the definition of the terminology "prosecution that is in the best interest of the victim". Does this mean going back to pre-1984 days when an uncooperative victim spelled the end of a case? Will the CAO still operate from the paradigm of a Coordinated Community Response model?	<b><u>No Change:</u></b> The CAO's policy doesn't at all mean going back in time to the days before a Coordinated Community Response model, but simply wants to acknowledge that more care and attention will be given to the victim's best interest in the decision to proceed with prosecution.



City of Seattle

**TABLE B:**  
**CITY OF SEATTLE DOMESTIC VIOLENCE STRATEGIC PLAN**  
**COMMUNITY CONVERSATIONS: PROCESS & SUMMARY OF RESULTS**

29.	<b><u>Prosecution Plan:</u></b> The CAO should develop standards for its High Risk Offender Program.	<b><u>No Change:</u></b> The CAO already has standards for its HRO program.
30.	<b><u>Prosecution Plan:</u></b> There appears to be little way of identifying high-risk and repeat offenders and of defining different strategies for dealing with them. Recommend the development of a system for tracking them. The City should also examine existing legislation and work with SPD to better utilize the “three strikes law” in cases of repeat offenders.	<p><b><u>No Change:</u></b> The City Attorney has developed a victim safety inventory to identify risks faced by a victim. The office combines this tool with objective criteria to identify defendants for the high-risk offender program. These criteria allow attorneys the flexibility to include truly dangerous defendants in the program. In addition to its case files, the office maintains advocate files on all defendants. This practice was identified and praised in the assessment. The advocates have information that is much more extensive than a mere criminal history. This information is used to more effectively prosecute repeat offenders.</p> <p>The City Attorney’s office obtains a complete criminal history for every defendant. This includes all recorded information on any prior offense anywhere in the nation. The decision whether to charge a repeat offender with a felony is made by the King County Prosecutor. The City of Seattle has no control over those decisions.</p>
31.	<b><u>Prosecution Plan:</u></b> The prosecution policy appears to have changed significantly by eliminating the ‘No-drop’ policy the City has followed for over 10 years. This was not a finding supported by the Assessment. In “No-drop,” the City prosecutes perpetrators regardless of the wishes	<b><u>No Change:</u></b> The City Attorney’s Office has not abandoned no-drop prosecution. For cases that the office files, this remains the office policy with particular emphasis in high-risk offender cases. The office has adopted a more sophisticated screening mechanism that recognizes that the criminal justice system is not the solution



City of Seattle

**TABLE B:  
CITY OF SEATTLE DOMESTIC VIOLENCE STRATEGIC PLAN  
COMMUNITY CONVERSATIONS: PROCESS & SUMMARY OF RESULTS**

	of the victim. If this policy is abandoned, victims will be pressured by the perpetrators to drop charges.... By changing this policy, there will be an implicit endorsement of the idea that DV is a personal matter, not a crime which affects larger society and must be prosecuted as such.	for every victim. The net result of these changes has actually been an increase in the filing rate of domestic violence cases for the first two months of 2005. The Seattle City Attorney's office is absolutely committed to the prosecution of domestic violence. The City Attorney's office does not now and has never endorsed the proposition that domestic violence is a personal matter.
32.	<b><u>Sanctions:</u></b> The goal of a coordinated community response would be to ensure that every probationer who failed to comply with treatment requirements received appropriate justice system consequences. Probationers who fail to meet their batterer intervention program requirements must receive justice system consequences.	<b><u>No Change:</u></b> Since the implementation of a specialized DV Probation unit, the probation department forwards notice of violation of conditions of sentence (or SOC) to the court within 7 days. Much more consistent and graduated sanctions for offenders who fail to complete BI or any other condition of their sanction from the court is beginning to occur with the inception of the DV Court in 2004.
33.	<b><u>Sanctions:</u></b> Judges need ongoing and continuing education on Domestic Violence.	<b><u>No Change:</u></b> The particular judges assigned to DV Court within SMC are some of the best trained judges on the subject on the bench. Many of the judges do participate in ongoing legal education for judges on domestic violence issues.
34.	<b><u>Sanctions:</u></b> Offenders who commit serious domestic violence crimes should do serious jail time. (e.g. several survivors referenced personal experiences where crimes that were of felony level injuries received less than 60 days in jail as a punishment).	<b><u>No Change:</u></b> While frustrations exist and will likely continue, various issues prevent courts of limited jurisdiction from implementing standardized, determinate sentences which would prescribe specific sentences for certain crimes. This would not work well at this court level and should not be considered given the unique challenges that exist to prosecutors, judges and defense



City of Seattle

**TABLE B:**  
**CITY OF SEATTLE DOMESTIC VIOLENCE STRATEGIC PLAN**  
**COMMUNITY CONVERSATIONS: PROCESS & SUMMARY OF RESULTS**

		attorneys at this jurisdictional level.
35.	<b><u>Sanctions:</u></b> Longer periods of jurisdiction need to be available for the court to ensure that defendants get the kind of treatment and the time necessary to successfully complete such treatment. DUI offenders who receive 5 years of probation are an example to replicate for this legislation.	<b><u>No change:</u></b> One of the objectives in the BI Plan is “Explore advocating at the state legislative level for DV extensive supervision, similar to jurisdictional enhancements for DUI offenders”.
36.	<b><u>Special Populations:</u></b> This component is such a large and complicated conglomerate of issues that the City should consider breaking this portion up into the various populations represented in this portion. For example, elders and vulnerable adults, children, immigrants and ESL populations, etc. should each have their own separate place in the plan.	<b><u>No Change:</u></b> While each of these areas has their own unique area of concern, the providers and professionals within the various agencies of the criminal justice system believe that becoming proficient in each of these areas make them more effective practitioners and more able to truly execute their duties holding batterers/perpetrators accountable and meeting the unique safety needs of each diverse victim population.
37.	<b><u>Special Populations:</u></b> Permanent position within the CAO and SPD for elder abuse investigation and prosecution should be a part of the long term planning of the City.	<b><u>No Change:</u></b> The CAO & SPD currently have staff attorney/detective positions designated to crimes against elderly and vulnerable adults. While in the CAO, this position does go through the regular rotation cycle of the office, keeping this position in the regular rotation cycle increases the overall awareness of the practitioners within the CAO.
38.	<b><u>Victim Defendants:</u></b> Defense and community based victims advocates can work more closely to ameliorate and address these concerns. Need mechanisms for	<b><u>No Change:</u></b> Efforts are currently underway to build working relationships between defense and community based advocates to ameliorate the impact of criminal charges on the victims. Also see



City of Seattle

**TABLE B:  
CITY OF SEATTLE DOMESTIC VIOLENCE STRATEGIC PLAN  
COMMUNITY CONVERSATIONS: PROCESS & SUMMARY OF RESULTS**

	establishing this relationship.	objective #3.
39.	<b><u>Special Populations:</u></b> Language interpretation and other considerations affecting immigrant and refugee women are not part of the plan.	<b><u>Change/No Change:</u></b> New language in the Introduction is added affirming Seattle’s commitment to carrying out state law about the availability of qualified interpreters The plan already included an objective to advocate for on-going, and increased, federal, state and regional support for several types of services, including interpreter services. Lastly, the City has supported the Multi-Lingual Access Project, using federal Violence Against Women funds. The City has submitted a request to the federal Violence Against Women Office for continued support.
40.	<b><u>Special Populations:</u></b> The Plan includes other populations in its focus such as elder abuse and child abuse, but it is not clear in which instances these problems will be addressed. Not all elder abuse and child abuse situations are domestic violence and the service providers are different for each group.	<b><u>No Change:</u></b> The plan addresses this issue. One of the goals of the plan is “to improve collaboration across systems and agencies that work with children, seniors and vulnerable adults in order to create safety.....” For example, as part of the implementation of the plan, the City will participate in the King County regional inter-agency team to develop protocols for working with children affected by domestic violence. One of the leads in this inter-agency collaborative is Child Protective Services. A similar effort will occur with respect to elder abuse. The city will participate in the King County Elder Abuse Council.
41.	<b><u>Miscellaneous:</u></b> Involvement of community service providers / Perpetrator Treatment	<b><u>No Change:</u></b> The safety audit and the DV plan focus primarily on city, not community-based, services, processes and practices. Still, staff conversed with 15 stakeholders, including community-based





City of Seattle

**TABLE B:**  
**CITY OF SEATTLE DOMESTIC VIOLENCE STRATEGIC PLAN**  
**COMMUNITY CONVERSATIONS: PROCESS & SUMMARY OF RESULTS**

		providers. With respect to Batterer Intervention, the objective is to analyze current practice in the city and the results of the practice. This analysis will engage providers, probation counselors, defense attorneys, prosecutors and advocates. It will try to determine what is working, what is not working and why. It will also look at client/offender-specific data, and take into consideration best practice. A report with recommendation will be submitted to the DVPC.
42.	<b><u>Operations:</u></b> The City used an independent, out-of-state agency to conduct the DV Assessment. The City should use an independent expert or agency to review the strategic plan	<b><u>No Action:</u></b> Many of the Assessment reports were based on the results of a safety audit. A safety audit is a specialized file review process. The City hired consultants with expertise in this process. These consultants advised the City on the audit and conducted many of the file reviews themselves. The City has expertise sufficient to develop and implement a plan based on the recommendations of the audit.
43.	<b><u>Operations:</u></b> The structure for collaboration and coordination between various City Departments is not well defined.	<b><u>No Change:</u></b> The DVPC use committees, including city staff and members of the community, to implement items on its work plan. With respect to the DV Plan, the department leads for each action item are identified in the plan.



Table C  
Recommendations from the 2003  
Seattle Domestic Violence Assessment Reports

Recommendations	Status
<i>Probation: A Report on the Domestic Violence Unit, Municipal Court Probation</i>	
COURT	
1. Consider the possibility of developing a DV court, or at minimum, having a single judge preside over all the related matters for one offender. A specialized DV team, consisting of a judge, a prosecutor, a defender, and a probation counselor, could result in improved tracking of, and accountability for DV offenders	1. Implemented DV Court September 2004.
2. Develop a clear definition of compliance in DV cases, and respond quickly and consistently to those offenders who fail to comply. The court should not give high risk offenders multiple chances to comply, with no penalty for failure to do so.	2. Addressed in DV Strategic Plan (Sanctions, Batterer's Intervention Sections).
3. Consider a mandatory review for all DV offenders 30, 60, 90 and 180 days after sentence, to improve compliance rates.	3. Under consideration in further developing DV Court practices.
4. Conduct a detailed review of its sentencing practices in DV cases, in light of the high-risk nature of these cases.	4. Addressed in DV Strategic Plan (Sanctions Section)
5. Convene a short-term work-group to develop clear sanctions and approaches to non-compliant and other high-risk DV offenders. Some alternatives to consider include weekend incarceration, day reporting, home confinement with electronic home monitoring, only for those offenders who do not reside with the victim.	5. Addressed in DV Strategic Plan (Sanctions Section)
6. Consider responding to the impact of the offender's violence on children. This would require development of a policy on responding to DV offenders who are parents, or who have assaulted their spouse or partner in the presence of children.	6. Area for Future Exploration



Table C  
Recommendations from the 2003  
Seattle Domestic Violence Assessment Reports

PROBATION	
7. Review the philosophy and purpose of the unit, and integrate decisions into revisions to its structure and resources. (as recommended in the 1997 Probation study).	7. Completed and available
8. Considering conducting PSIs on all DV offenders. This should include screening for “victim/defendants,” those offenders who are DV victims who have committed DV-related crimes.	8. Addressed in DV Strategic Plan (Sanctions Section); Internal training has occurred regarding victim defendants and Probation began developing a specialized case load of DV female offenders.
<p>9. Develop specific policies and procedures for monitoring DV offenders. Policies and procedures from a DV Probation Unit in another jurisdiction could be adopted and revised (with permission). Policies and procedures should include:</p> <ul style="list-style-type: none"> <li>a) a requirement to contact the victim at minimum to provide information about probation and the probationer’s conditions of sentence, and to warn the victim when the offender fails to comply,</li> <li>b) a DV-specific intake form to give the probation counselors and the court more consistent information about the offender,</li> <li>c) procedures for identifying and responding to key DV-related risk factors,</li> <li>d) standards for recommended sanctions for failures to comply, such as use of Workcrew, Community Service, and weekend jail time, with some guidelines for the length of sanction, depending on the type and reason for failure to comply,</li> <li>e) procedures for consistent request rapid warrant service from SPD’s Fugitive Apprehension Team,</li> </ul>	<p>9.</p> <ul style="list-style-type: none"> <li>a) Standardized letters to victim regarding information about probation and improvements are implemented and ongoing;</li> <li>b) Implemented a new intake form.</li> <li>c) Implemented procedures for identifying DV related risk factors; shared with SCADVU for work they are doing in this same area.</li> <li>d) Implemented administrative sanctions.</li> <li>e) Implemented procedures regarding bench warrants.</li> </ul>



Table C  
Recommendations from the 2003  
Seattle Domestic Violence Assessment Reports

f) procedures for enforcing the “No Weapons” condition of sentence.	f) Implemented procedures for the no weapons condition.
10. Explore with the City’s Office of Domestic and Sexual Violence Prevention Office (where indigent batterers’ treatment contracts are currently administered) the possibility of SMC offering certified DV treatment to indigent offenders in-house.	10. Implemented: Seattle Mental Health is on-site in SMC and provides DV treatment on sliding fee scale and free with medical coupons; Addressed in DV Strategic Plan (Batterers’ Intervention Section).
11. Find ways to use existing resources creatively in order to provide more intensive supervision to high risk offenders. For example, offenders who have been compliant for 3-4 months could be seen in a group check-in, thereby freeing up counselors time for intensive monitoring of those who need it.	11. SMC had requested GF for position that is currently grant funded through 8/05.
12. Work with police and City Attorney’s office to improve information flow, victim safety, and strengthen response to offenders who are non-compliant.	12. Work in progress; Addressed in DV Strategic Plan (Sanctions, Batterers’ Intervention, Firearms Sections)
13. Work with the City Attorney’s Office to develop an effective response to Probationers with both DV and Mental health issues	13. Completed process and improvements ongoing.
14. Establish and maintain regular DV-related training for DV staff on such topics as treatment approaches with batterers, working with victims, motivational interviewing, substance abuse and mental health issues, working and responding to immigrant offenders who are undocumented, and other related topics.	14. Completed process and improvements ongoing.
15. Develop DV-specific orientation and training materials for new staff.	15. Completed process and improvements ongoing.
16. Develop a systematic way of flagging those probationers who are DV victims, and ensuring that they have access to supportive community resources.	16. Completed process and improvements ongoing



Table C  
Recommendations from the 2003  
Seattle Domestic Violence Assessment Reports

17. Implement a method for flagging key risk factors and responding effectively to high-risk cases through more frequent contact in person, or by phone, contact with the victimized partner, and rapid response for any violation of the court order.	17. Completed process and improvements ongoing; Intensive Supervision position funded.
18. Distinguish between intimate partner violence and other forms of family violence. Assign the non-intimate partner violence to staff who can develop expertise in monitoring these cases.	18. Established a specialized case load for child abuse cases and other forms of specialization are under consideration.
19. Develop and implement a system for accurately tracking the overall compliance of the Unit's caseload.	19. Work on identifying system requirements for new computer system. Code training for counselors ongoing for accuracy in data keeping.
20. Notify the victim advocate in the City Attorney's Office when a review or revocation hearing is scheduled.	20. Completed process and improvements ongoing.
21. Consider increasing the use of qualified volunteers to assist with case management.	21. Completed process and improvements ongoing.
22. Explore a potential partnership with the Seattle Police Department for monitoring offenders who have a poor record of compliance, and for immediate service of warrants.	22. Procedures for warrants in place and further improvements ongoing.
<i>Court: A Report on Domestic Violence Cases in Seattle Municipal Court, Recommendations for Strengthening Seattle Municipal Court Practices in DV Cases</i>	
23. Work with the City Attorney's Office and the public defender agencies to establish an integrated case processing model, in which a specialized team of DV judges, DV prosecutors and defenders specializing in DV issues hears and tracks all stages of an individual defendant's case.	23. DV Court and DV Case Flow Work Group



Table C  
Recommendations from the 2003  
Seattle Domestic Violence Assessment Reports

24. The court should consider creating a system for ranking the danger/severity of charges and danger to the community presented by each defendant, and should expedite those cases that are the most dangerous. This ranking could occur at arraignment or at pretrial.	24. Area for future exploration.
25. The court should establish sentencing guidelines that give a clear message to offenders and victims that DV is viewed as a dangerous and serious crime. The court should consider whether reduced or dismissed charges are consistent with the goals of offender accountability. In addition, the court may want to consider a more consistent approach to sentencing that accounts for different levels of dangerousness of DV offenders.	25. DV Court established, Addressed in DV Strategic Plan (Sanctions Section).
26. The court should consider limiting the number of chances an offender has to comply with the conditions of sentence, and consider imposing alternative sanctions such as Workcrew, Community Service, or Day Reporting for those who fail to comply. Jail time served should be a sanction for those who consistently fail to comply.	26. Addressed in DV Strategic Plan (Sanctions Section)
27. All Court units involved in processing DV cases should have clearly written DV policies and procedures. These should be developed in consultation with SPD and the City Attorney's Office, to ensure that any DV-related policies from these agencies are acknowledged, and that key linkages to these agencies are incorporated into policies and procedures.	27. Firearm policies are in draft and in the law department for review. As part of the DV Court, other required policies are under consideration
28. The court should consider implementing a system to track processing and outcomes of DV cases. This should be done in collaboration with the Seattle Police Department, the City Attorney's Office and King County Department of Adult and Juvenile Detention, to ensure some consistency in data between agencies.	28. The Court is currently developing performance outcomes for the DV Court. Collaboration with SPD, City Attorney's office, etc will be included in the next phase of outcome development



Table C  
Recommendations from the 2003  
Seattle Domestic Violence Assessment Reports

29. The Court, in partnership with the City Attorney's Office, should consider developing formal linkages with local community-based DV advocacy programs in order to provide consistent and comprehensive post-sentencing advocacy to victims of DV defendants who have cases with SMC.	29. Area for Future Exploration
In response to concerns identified by participants in the City-wide Safety Audit, there are some additional recommendations around business practices of the court:	
30. DV Unit Probation Counselors could conduct a brief screening prior to sentencing, to fully explain treatment to offenders, and to determine their eligibility for treatment.	30. Addressed in DV Strategic Plan (Sanctions Section)
31. The Court's DV Case Flow Group should continue to work with defender agencies to ensure the defense agency that represented the offender remains accessible throughout the jurisdiction of the case. Probation counselors should have the name and contact information for the defense attorney.	31. Area for Future Exploration
32. The Court should work with the City Attorney's Office to find a way to prosecute new criminal law violations.	32. Review of process in progress.
33. Jail screeners should check the protection order history of all defendants.	33. Implemented
34. The court should provide resources, training, and policies that require court staff to check these databases for all defendants.	34. Access to database is being obtained for court staff and training plan has been developed.
<b>Report: Domestic Violence Safety and Accountability Audit: Prosecution Response to Misdemeanor Domestic Violence Cases</b>	
<b>Practice Area: Helping Victim with Safety Planning</b>	
We recommend:	35. See Prosecution Plan Status Report Attached
35. multi-disciplinary training involving community-based advocates on danger and risk assessment, and safety planning	36. See Prosecution Plan Status Report Attached
36. development of written guidance on danger and risk assessment, and safety planning	37. See Prosecution Plan Status Report Attached
37. development of up-to-date referral information on community-based programs	



Table C  
Recommendations from the 2003  
Seattle Domestic Violence Assessment Reports

<p>38. development of a networking or collaboration plan among SCADVU and community-based advocates.</p> <p>39. review of the current practice of several prosecutors being involved in the prosecution of a case and how this practice could, within the current climate of resource difficulties, be streamlined to facilitate a more consistent victim-advocate-prosecutor link.</p>	<p>38. See Prosecution Plan Status Report Attached</p> <p>39. DV Court implemented</p>
<i>Practice Area: Screening Cases</i>	
<p>We recommend:</p> <p>40. development of written guidance for screening cases that will aid both advocates and prosecutors in balancing safety and evidentiary concerns.</p> <p>41. multi-disciplinary training, on the written guidance developed as well as applications of Washington state law to the evaluation of evidence.</p> <p>42. institutionalizing an on-going educative role with law enforcement officers on evidence collection, report writing, and other prosecutorial needs that incorporates training and some sort of regular feedback on or evaluation of reports.</p>	<p>40. See Prosecution Plan Status Report Attached</p> <p>See Prosecution Plan Status Report Attached</p> <p>Addressed in DV Strategic Plan (Investigations Section)</p>
<i>Practice Area: Pretrial Release</i>	
<p>We recommend:</p> <p>43. the exploration, with courts and community-based advocates, of the legal availability of the modification of no-contact orders.</p>	<p>43. DV Court has bi-weekly calendar for modification of no-contact orders and will make improvements as needed.</p>
<i>Practice Area: Filing or Charging Offenses</i>	
<p>44. We recommend written guidance and training on the potential usages of the valuable historical information contained in advocate files for</p> <ul style="list-style-type: none"> <li>▪ risk assessment</li> <li>▪ safety planning</li> <li>▪ case prioritization</li> <li>▪ basis for stalking charges</li> <li>▪ heightened bail or stringent release conditions</li> </ul>	<p>44. See Prosecution Plan Status Report Attached</p>





Table C  
Recommendations from the 2003  
Seattle Domestic Violence Assessment Reports

<ul style="list-style-type: none"> <li>▪ other acts evidence</li> <li>▪ heightened sentence or stringent probation conditions</li> </ul>	
<i>Practice Area: Pre-Trial Procedures and Discovery</i>	
<p>We recommend:</p> <p>45. exploring ways to build in prosecutorial contact with victims.</p>	45. See Prosecution Plan Status Report Attached
<i>Practice Area: Using Trial Strategies</i>	
<p>We recommend:</p> <p>46. a consistent linkage or liaison function be formed between city and county attorney domestic violence units on strangulation and stalking cases regarding roles with the police and screening and charging cases.</p> <p>47. once this linkage or function is created, that multi-disciplinary training on the linkage occur, as well as on:</p> <ul style="list-style-type: none"> <li>a. the reasons for recanting</li> <li>b. strategies for dealing with recanting in the courtroom</li> <li>c. recognizing strangulation and stalking, and strategies for charging and prosecuting</li> <li>d. updates on advocacy information, responses and skills in strangulation and stalking cases</li> </ul>	<p>46. See Prosecution Plan Status Report Attached</p> <p>47. See Prosecution Plan Status Report Attached</p>
<i>Practice Area: Sentencing Strategies</i>	
<p>We recommend:</p> <p>48. the utilization of work group as deemed appropriate (there are so many potential ones in Seattle, including this audit team) that brings prosecutors, probation, and the judiciary to a common philosophy of battering and a way of looking at sentencing that accounts for different levels of dangerousness</p>	48. Addressed in DV Strategic Plan (Prosecution Plan); SMC internal work group on sentencing recommendations is proposed (Sanctions Section)



Table C  
Recommendations from the 2003  
Seattle Domestic Violence Assessment Reports

<i>Practice Area: Post-Sentencing Strategies</i>	
<p>We recommend:</p> <p>49. building on the current good relationship between SCADVU advocates, probation officers, and batter program providers, and on the recommendations made in the sentencing section, to bring prosecutors, probation, and the judiciary to a common philosophy of battering not only as a way of looking at sentencing that accounts for different levels of dangerousness but also as a consistent way of holding offenders accountable for probation violations and SOC failures</p>	49. Addressed in part in the DV Strategic Plan (See Batterer Intervention Section).
<b>OVERALL RECOMMENDATIONS Re: Supervision, Management, and Advocacy</b>	
50. Develop and adopt a prosecution plan	50. Implemented
51. Evaluate the current role of the advocate	51. See Prosecution Plan Status Report Attached
<i>Reports: Patrol Response to Domestic Violence in Seattle, Washington: Text Analysis of Seattle Police Department Incident Reports and Domestic Violence Cases in the Seattle Police Department</i>	
<b>PATROL</b>	
<p>52. Establish a system to monitor police reports at each precinct to improve quality of on-scene response, investigation, and report writing. Highlight the following areas:</p> <ul style="list-style-type: none"> <li>▪ History and context of the violence</li> <li>▪ Risk assessment in domestic violence</li> <li>▪ Evidence collection when suspect is “at large”</li> <li>▪ Presence and welfare of children</li> <li>▪ Determination of prohibition to possess firearms</li> <li>▪ Determination if suspect has access to firearms</li> <li>▪ Use of primary aggressor criteria</li> </ul>	52. Addressed in DV Strategic Plan (Investigations Section)



Table C  
Recommendations from the 2003  
Seattle Domestic Violence Assessment Reports

53. Increase focus on “gone at arrival” suspects.	53. Addressed in DV Strategic Plan (Investigations Section)
54. Place new emphasis on responding to children at the scene.	54. Addressed in DV Strategic Plan (Special Populations Section)
55. The green pocket card that SPD officers distribute should be eliminated. Currently it instructs officers to tell victims that a two-week No Contact Order is automatically issued by the court, so victims believe that this is true, and it is not. Although this card is no longer reprinted for active use, officers with old copies still distribute it, thus imparting misinformation that can be dangerous for victims	55. This pocket guide is no longer in use. Issue resolved through DV best practices training for all patrol.
56. Officers should not copy victim information on the Super Form sheet that is put into the court file. This information, with the victim’s name and address, becomes part of the court record. The defendant and the defendant’s attorney can easily access this. This happens as a result of sloppy copying of the Super Form sheet, and when copied this way, the Police Objection to Release is obscured.	56. Issue resolved through DV Best Practices training.
<b>POLICIES AND PROCEDURES</b>	
57. Develop interdepartmental policies and procedures for handling domestic violence cases.	57. Implemented
58. Develop follow up investigation criteria for domestic violence cases.	58. Addressed in DV Strategic Plan (Investigations Section)
59. Develop policies and procedures for firearms surrender, seizure and forfeiture.	59. These are drafted and have been submitted internally for approval.
60. Develop training component on firearms surrender, seizure and forfeiture.	60. The planning for this training component has begun.
61. Provide domestic violence training for Field training officers.	61. Implemented



Table C  
Recommendations from the 2003  
Seattle Domestic Violence Assessment Reports

62. Include domestic violence advocate in SPD DV training.	62. Implemented
<b>VICTIM SUPPORT</b>	
63. Provide direct support for victims of domestic violence by police officers.	63. Addressed in DV Strategic Plan (Investigations Section)
64. Increase utilization of the Volunteer Support Team.	64. Implemented. Also addressed in DV Strategic Plan (Advocacy Section)
<b>DATA AND TECHNOLOGY</b>	
65. Establish DV data collection needs in partnership with DVPC.	65. Addressed in DV Strategic Plan (in part, Firearms, Special Populations Sections)
66. Report progress on Computer Aided Dispatch project to DVPC in 2003.	66. To be scheduled
67. Warrants should be “pushed” directly into the Mobile Data Computers (MDCs) of patrol cars by appropriate beat.	67. Area for Future Exploration
68. Provide access to PROMIS via personal desktop computers for both domestic violence advocates and detectives. Provide caller ID on advocate phones, to assist with hang-up calls which may be victims trying to call them for assistance or in a crisis.	68. Implemented
<b>INVESTIGATIONS</b>	
69. Bolster misdemeanor follow-up investigations.	69. Addressed in DV Strategic Plan (Investigations Section)
<b>WARRANTS</b>	
70. Provide 2003 results of DV warrant service assessment to the DVPC	70. To be scheduled
<i>Report: Removing Firearms from Domestic Violence Perpetrators, and Recommendations from SMC three-months case review follow up</i>	
<b>Recommendation</b>	<b>Status</b>
71. Police reports accurately reflect the presence of firearms at the scene of the initial investigation.	71. Addressed in DV Strategic Plan (Firearms Section)
72. Police reports record the defendant’s Concealed Pistol License status.	72. Addressed in DV Strategic Plan (Firearms Section)
73. Police officers seize or encourage the surrender of firearms at the time of the	73. Addressed in DV Strategic Plan (Firearms



Table C  
Recommendations from the 2003  
Seattle Domestic Violence Assessment Reports

initial investigation	Section)
74. PR screeners record the defendants' access to firearms in their reports	74. Implemented
75. City Attorney advocates provide a comprehensive summary of the defendant's DV history to the bench	75. Area for Future Exploration
76. Probation officers and police officers work jointly to ensure the "possess no weapons" clause of the various adjudication agreements are complied with.	76. Addressed in DV Strategic Plan (Firearms Section)
77. Judges ask the defendant about access to firearms at all proceedings	77. Reviewing places and points where inquiries need to be made.
78. When appropriate, the bench could order the surrender of firearms to the police dept within a specified amount of time and schedule subsequent review hearings to ensure compliance	78. Addressed in DV Strategic Plan (Firearms Section)
79. The bench could request assurances from defense counsel that a person holding a firearm for the defendant be eligible to possess a firearm.	79. Area for Future Exploration
<b>Report: <i>Victim Defendants: An Emerging Challenge in Responding to Domestic Violence in Seattle and the King County Region</i></b>	
80. <u>Leadership</u> should view victim defendants as a significant concern. Leaders and policy-makers need to lend their support to a collaborative effort to develop a coordinated response for victim defendant cases. This response would include comprehensive and ongoing training, consideration of arrest, charging and sentencing policies, and changes to existing data systems to improve information flow	80. Many community leaders, including SPD Chief, SMC judge, DVPC, have attended presentations on issue
81. <u>Law Enforcement</u> —Law enforcement agencies should be able to give officers the time, training, resources, and support they need to correctly identify the primary aggressor in more complex cases. Practices should include carefully evaluating domestic violence incidents for self-defense, prioritizing accurate	81. Training provided regarding strangulation, identifying primary aggressor, and self-



Table C  
Recommendations from the 2003  
Seattle Domestic Violence Assessment Reports

identification of the primary aggressor, refraining from making mutual arrests, and using interpreters whenever one or both of the parties do not speak English or have limited English skills. Resources would include: access to all relevant criminal history databases; the related history of the parties before making the arrest decision; consideration of arrest history of the parties in the larger context of the violence in the relationship; time and resources to use interpreters when necessary; supervisory review of domestic violence cases with feedback and consultation; assignment of follow-up detective in cases where there are questions or concerns about which party is the primary aggressor.	defense.
82. <u>Defense Attorneys</u> —The defense bar should train staff, including investigators and social workers, where applicable, in the dynamics of domestic violence, and support them in acquiring tools for defending domestic violence survivors charged with domestic violence-related and other crimes.	82. Defense attorneys training held 9/10/04 (45 attendees); Director of the Office of Public Defense committed to ongoing work on the issue and scheduled to speak at KCCADV membership meeting 11/19/04; Annotated list of local agencies distributed to 45 defense attorneys
83. <u>Prosecutors</u> — Prosecutors should make domestic violence training mandatory for all staff, when feasible. At minimum staff would be required to screen for domestic violence survivors among domestic violence defendants.	83. Gael Straeck training in December '02; “Some Issues to Consider in Sentencing” paper written and distributed to KCPO and SCADVU
84. <u>Batterer Intervention Programs</u> should: <ul style="list-style-type: none"> <li>▪ Provide training for their staff in victim-defendant issues.</li> <li>▪ Carefully evaluate court-referred clients for indications that they are survivors of domestic violence.</li> <li>▪ If there are indications that an individual is a survivor of domestic violence, programs should incorporate into the assessment in-depth questions that help determine which party in the relationship is engaging in a pattern of power and control, and which party is a victim of that pattern.</li> </ul>	84. Two batterer intervention programs sent staff to 4-day training series on survivors using violence; Regional focus group cited more batterer intervention programs that do assessments and refer to victim services if batterers’ intervention not appropriate



Table C  
Recommendations from the 2003  
Seattle Domestic Violence Assessment Reports

<ul style="list-style-type: none"> <li>For those court-mandated clients who are domestic violence survivors and not batterers, staff should clearly document to the court (with the survivor's permission) that individual is not a candidate for batterer intervention, as she or he is a domestic violence survivor.</li> </ul>	
<p>85. <u>Community-Based Advocacy Programs</u> should:</p> <ul style="list-style-type: none"> <li>Acknowledge that many domestic violence survivors use violence. Advocates can provide information that could help prevent arrest of survivors by engaging in an open conversation about survivors' use of violence, its impacts, and alternatives.</li> <li>Ensure that advocates have a clear understanding of the scope and limitations of state confidentiality statutes, so that information disclosed by survivors about their own use of violence cannot be used against them in a criminal or civil case.</li> <li>Provide information to survivors about the criminal justice system. Inform survivors about the domestic violence laws, the potential consequences of arrest, and what they can do if they are arrested.</li> <li>Increase opportunities for early access to victim-defendants through relationships with local law enforcement and the jail.</li> <li>Collaborate with defense attorneys on the defense of domestic violence survivors.</li> <li>When working with victim-defendants, investigate whether meeting bail is a constraint, particularly for those who are charged with felonies. If so, consider a revolving bail fund for victim-defendants.</li> <li>Understand that there may be potential negative consequences to survivor's case before sharing specific information about a victim-defendant with staff in the prosecutor's office.</li> <li>If the survivor has an open criminal case, consult with a defense attorney about any other legal actions, such as obtaining a civil protection order.</li> </ul>	<p>85. Advocate trainings held; Advocate group committed to monthly meetings; Advocate group working on revised outreach materials to include survivors use of violence; "Working with Survivors Charged with DV-Related Crimes" paper written and distributed to advocates; Staff at New Beginnings and EDVP describe better connections with defense attorneys; Office of Public Defense to speak at 11/19 KCCADV membership meeting to discuss how to work with defense attorneys; Director of Office of Public Defense and KCCADV Director scheduled to meet in December '04 to discuss next steps in relationship building</p>



City of Seattle

**City Attorney's Office  
Table D: Prosecution Plan Status Report**

	<b>Action Steps</b>	<b>Status</b>
<b>1. Explicitly recognize the need to empower victims</b>	a. Include in Role of Advocate Document	Done
	b. Include in Filing and Disposition Standards	Work Begun
	c. Include in DV Unit Manual	The Manual will be completed when all steps are complete
<b>2. Clarify the roles and responsibilities of advocates and attorneys regarding when cases are to be filed or not filed</b>	a. Include in Role of Advocate Document	Done
	b. Include in Prosecution Plan	Done
	c. Include in High Risk Offenders Plan	Done
	d. Training	Begun
<b>3. Use a risk assessment tool to help guide decisions regarding victim safety</b>	a. Research existing tools	Done
	b. Draft risk assessment tool	Done
	c. Implement	Done
	d. Evaluate	After six months of use
<b>4. Create a process for vertical prosecution of high risk offenders</b>	a. Define standards	Done
	b. Create a screening process	Done
	c. Identify appropriate defendants	Begun
	d. Devise procedures	Done





City of Seattle

**City Attorney's Office  
Table D: Prosecution Plan Status Report**

	e. Train	Done
	f. Coordinate with SPD and Probation	Done
	g. Evaluate	After six months
<b>5. Implement Multi-disciplinary training on risk assessment and safety planning</b>	a. Train staff experts	Two staff members attended training in Boston and then conducted training for the entire team.
	b. Coordinate training with SPD	Begun
	c. Coordinate training with Probation	Done
<b>6. Update referral information for community-based programs</b>	a. Review referral resources	Done
	b. Assess current connections with community-based programs	Document drafted
	c. Expand community network	Begun
	d. Provide booklet "Where to Turn" to prosecutors and train	Begun
	e. Convene a criminal justice/community based advocacy roundtable	Planning begun
	f. Develop a protocol for assuring that needs are met	Planning begun
<b>7. Identify and resolve conflicts between attorneys and advocates on filing decisions</b>	a. Convene a series of all team sessions to implement action plan	Done



City of Seattle

**City Attorney's Office  
Table D: Prosecution Plan Status Report**

	b. Conduct one on one training with attorneys	Done
	c. Clarify role of advocates and attorneys	Done
	d. Clarify paradigm with leadership by meeting with the Division Director and City Attorney	Done
<b>8. Cases without sufficient evidence should be referred back to SPD for further investigation</b>	a. Reminders to all staff	Done
	b. Seek increased follow up in cases with defendant identification problems	Begun
	c. Review by SCADVU director in cases with defendant identification problems	Done
<b>9. Limit declines to 1) proceeding is not in the victim's best interest; 2) alleged victim should really be the defendant; 3) there is no possibility of developing a sufficient basis to file the case</b>	a. Training	Done
	b. Prosecutor/Advocate filing meetings	Done
	c. Review by SCADVU director of a sample of advocate files for unfilled cases	Open



City of Seattle

**City Attorney's Office  
Table D: Prosecution Plan Status Report**

<b>10. Increase Staff Proficiency</b>	a. Design standardized practice materials	Begun HRO – done Bail schedule – done No Contact Order protocol – done Review standards –done Firearms – begun Sentencing recommendations – scheduled
<b>11. Organize and implement a training program for all new attorneys</b>	a. When budget or grant funds allow send all new attorneys to domestic violence training conducted by National Association of District Attorneys	Ongoing
	b. Assess all training to determine compatibility with prosecution goals and philosophy	Begun
	c. Develop and implement a training plan	Begun
<b>12. Train for victim independent prosecution</b>	a. See above	
<b>13. Decrease number of cases dismissed on day of trial because the victim chooses not to participate</b>	a. Change paradigm to empower victims	Done
	b. Implement Risk Assessment tool to give advocates background information on victim's needs	Done



City of Seattle

**City Attorney's Office  
Table D: Prosecution Plan Status Report**

	c. Give advocates greater role in deciding whether or not to proceed with a case	Done
	d. Train on effects on victims of prosecutions	Done
	e. Improve prosecutors training on prosecution effects on victims	Begun
	f. Improve communication with non-English speaking victims	Begun
<b>14. Make explicit that our office operates under a flexible "no drop" policy.</b>	a. Train on new paradigm	Done
	b. Implement strict no drop policy for high risk offenders	Done
	c. Implement weekly meetings among mini teams of victims and advocates	Done
	d. Train staff on victim safety issues	Begun